The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

This document contains handwritten text that may be partially illegible due to age, penmanship, or deterioration of the medium. LLMC has scanned the material in the same format and page order in which it is maintained in the source document taken from the collection "Records of the States of the United States of America, a microfilm compilation."

Senate Journal

Wednesday May 11

1864

Extra Session

Read & adopted

5-11-64

Austin May 9. 1864

Senate Chamber

11 oclk A. M.

This being the day for the meeting of the 10th Legisla
ture of the State of Texas in extraordinary session according
to the Proclamation of His Excellency F. Murrah
Governor, the Senate was called to order by the President
whereupon the Session was opened by prayer by the Chap
lain Rev. W. Langdon. The roll of Senators
was then called and there being no Quorum on motion
the Senate adjourned until 4 oclk P. M.

4 oclk P. M.

Senate met. Mr Magoffin Senator elect from the
Senatorial District and Mr Knox Senator elect
from the District ~~Legible~~ took the oath of office
and their seats. The roll was then called
and there being no Quorum the Senate
adjourned until 9 oclk A. M to
morrow.

Tuesday May 10. 64 9 oclk
A. M.

Senate met. Prayer by the Chaplain. roll called
No Quorum; when the Senate adjourned until 3 oclk
P. M.

3 oclk P. M.

Senate met. roll called. No Quorum. where
upon an adjournment was moved until
9 oclk A M to morrow & carried

Senate Chamber
Wednesday Mar 11/64
9 o'clk A M.

Senate met. Prayer by the Chaplain. Roll called. Quorum present. The journals of the two preceding days were read and adopted.

On Mr. Dickson's motion a committee was appointed to act in conjunction with a committee of House of Representatives to inform the Governor that the Legislature was organized & ready to receive any Communication from him also to inform the House of the organization of the Senate - Messrs Dickson, Guinn, & Moore of Bowie were appointed the Committee -

Mr. Snow was added to Committee on Finance and State affairs & Military affairs

Mr. Guinn offered the following resolution Resolved the House Concurring that the Committees on finance act jointly on the matters that may come before them the present session. Laid over for 1 day.

Mr. Ford offered the following -
Resolved that the Secretary of State be requested to furnish for the use of the Senate each one dollar a copy of Oldham & White's Digest the acts of the last regular session and the Constitution and ordinances of the convention " adopted

a committee from the House announced the organization of that body, and that they would also act in Conjunction with a committee of the Senate to wait on His Excellency the Governor -

The Joint Com. to wait on the Governor reported duty performed

=formed and that His Excellency the Governor will deliver his message to the two Houses this evening at 3 o'clk

Mr. Irwin introduced a bill to Incorporate the Cherokee furnace company Read 1st. & 2nd times and referred to com on State affairs

Mr. Ford introduced a Joint Resolution relative to Improvements Read 1 & 2nd times and refrd to Judcy Committee

The memorial of Judge Irwin relative to amendment of the law concerning divorce and alimony was presented and refered to the Cairn Committee

Mr. Ford presented memorial of citizens of Caldwell County relative to levying a specific tax &c Refrd to Judcy Committee

On motion the Senate adjourned until 3 o'clk P.M.

3 o'clk P.M.

Senate met. roll called. quorum present

Mr. Harcourt introduced a Bill to define the boundary of the Headright league of land granted to James McNair and A.W. McClain of Colorado County Read 1st & 2 times and referred to Judciary Committee.

Mr. Ford from the committee on State affairs reported a Bill to Incorporate the Cherokee Furnace Company with the following amendment In sec 5. 6th line from bottom insert " or may at their option locate the same

with Certificates".

On motion of Mr. Dickson the Senate took recess of 15 minutes preparatory to hearing the Governors message read,

The recess having expired the Senate was called to order and having received an invitation from the House to meet them in their Hall they repaired thereto,

In Joint Session

Roll called. Quorum present. The message was then read and is as follows

(Here insert)

The Senate on motion returned to their Chamber when an adjournment was moved until 9 oclk A M to morrow and carried

Senate Journal

Thursday May 12

1864

Read and Adopted

6-12-64

Senate Chamber
Thursday, Jan. 12, 1864
10 o'clk A.M.

Senate met. Prayer by the Chaplain. Roll called. Quorum present. The journal of Yesterday was read and adopted.

Mr. Harcourt introduced a Bill punishing offences against foreign Commerce Read 1 & 2 time & refrd to Jud'y Committee.

Mr. White introduced a Bill to protect the rights of the People of Texas Read 1 & 2. time and refer'd to Committee on State affairs.

Mr. Somers offered the following "Resolved that this body will not entertain any business of a private or local character during its present session" The resolution was taken up for action. Mr. Harcourt moved to indefinitely postpone - lost. Mr. Lea then moved to amend by inserting the word "merely" before "private" lost - The Resolution was then adopted

Mr. Harcourt introduced a Bill to punish persons who may act as agent for persons disaffected to the State Read 1 & 2 time and referred to Judiciary Committee

On Mr. Lea's motion that portion of the Governors mes'g relative to Currency was refrd to Committee on Finance. On Mr. Lehman's motion that portion relative to Penitentiary was referred to Committee on Penitentiary relative to military affairs was refer'd to Com on Military affairs; and those portions relative to the Military Board and the action of the Confederate Congress were proposed by Mr. Dickson to be referred respectively to Committee on State affairs and Confederate relations with instructions to the several Committees to act jointly with the similar Committees of the House, that body having announced this action on their part. The references were made,

and for the invitation from the House to act jointly by their Committees on the several matters referred Mr. Harcourt offered the following:

Resolved That in response to the invitation of the House that the Committees of the two Houses should act in Conjunction upon the Governors Message. the Senate respectfully suggests the impropriety of this point at this time of Committees. but will very Cordially hold in formal Conferences with the House Committee.

adopted

Mr. Ford introduced a Bill to provide for a Commercial agent and to prescribe his duties. Read 1 & 2 time and referred to committee on State affairs

The resolution relative to joint action of Committees on finance in the Senate & House was laid on table.

A Bill to incorporate the Cherokee furnace Company having been announced was declared out of order under the resolution relative to private business.

Mr. Wootten moved to reconsider the vote adopting the resolution relative to private business. Lost.

Mr. Magoffin and Mr. Quayle were added to Com. on Mil affairs and Mr. Ford to Committee on Judiciary

Mr. Wootten offered a resolution authorizing the Committee on printing to Contract for the printing of 2000 Copies of the Governors message. — postponed until to morrow.

On motion the Senate adjourned until 9 oclk A. M to morrow.

Senate Journal

Friday May 10.

1862

Read & Adopted

47-19-44

Senate Chamber

Friday May 13. 1864.

9 o'clk A.m.

Senate met. Prayer by the Chaplain. roll called quorum present The journal of yesterday was read and adopted.

The Judiciary Committee through their Chairman Mr. Harcourt made the following reports.

"A" & "B"

Mr. White offered the following. "Resolved that the Committee on Mil. Affrs. be instructed to inquire into the laws and ascertain if there is any proviso to pay the Brigadier Generals appointed under the act of December 1861 for their services and to reimburse them the money actually paid out in necessary expense and if not to report by bill or otherwise" adopted.

Mr. White introduced a Bill to amend the C. 1902 act of the penal Code Read 1 & 2 times and refrd to State affairs Committee

Mr. Hord introduced a Bill to define and punish an offence therein described Read 1 & 2 time and referred to Judiciary Committee

Mr Durant presented petition of Citizens of Leon County asking the repeal of the Liquor Law Refrd to Com on finance.

The resolution relative to printing 2000 Copies of Governors message was read and adopted

The Senate then adjourned until 9 o'clk A M to morrow

Senate Journal

Saturday May 14th

1864

Read and Adopted

5 - 14 - 64

1

Senate Chamber

Saturday May 14 1864

9 o'clk A. M.

Senate met. Prayer by the Chaplain. Roll Called Quorum present. The journal of Yesterday was read and adopted.

~~The Judiciary Committee reported~~ Mr. Harcourt Chairman of the Judiciary Committee reported a Bill to define and punish offences committed within this state by persons under the protection or authority of the public enemy and recommended its passage.

Mr. White introduced a bill for the subsistence of soldiers families Read 1 & 2 time and referred to Judiciary Committee.

Mr. Gwinn offered the following resolution

Resolved That the Adjutant & Inspector General be requested to furnish the Senate with the following information

1st How many persons have been detailed from the military force of the State

2nd For what objects said details have severally been made and upon whose application

3rd Whether there is any record in his office shewing the number, and who have been, detailed for transportation agents Teamsters &c connected with the purchase of Cotton and the amount of transportation certified or stated to be furnished by each one – if so a seperate list containing the details granted and the information asked for in connection will be furnished Adopted

Mr. Gunn also offered the following

"Resolved that the Military Board be requested to furnish the Senate the following information

How much Cotton has the state purchased? From whom? the price paid? How paid? through whom paid? the amount paid or agreed to be paid for transportation? If any sold, what has been realized in return? The number of purchasing agents in their employ and their names and residence? Laid over 1 day

The Committee on printing Mr. Ford Chm. reported a contract with the State Gazette office for printing 2000 copies of the Governors message at four dollars per page which may be discharged in Conf. Treas. Notes at 20 for 1.

Mr. Throckmorton introduced a Bill to provide for a revision of the laws. Read 1 & 2 time and referred to Judicy Committee

Mr. Jordan introduced a Bill to amend art 327 of the Code of Criminal procedure Read 1 & 2 time and referred to Judicy Committee

Mr. Durant introduced a Bill to amend the slave laws. Read first ~~time and referred to~~ second Judiciary committee.

Mr. Davis introduced a bill to amend arts 743 & 744 Chap. 8. Title 1 of the Penal Code Read 1 & 2 time and refrd to Judiciary Committee

The bill amending the law concerning divorce and alimony with reports of Judiciary Committee adversely to its passage was read 2nd time and Mr White moved to lay the report upon the table The yeas and nays being called stood

Yeas, Mess. Dickson, Durant Ford, Guinn, Harben, Jordan, Kinsey Knox, Mayoffin, Moore of Dk, Quayle, White 12.

Nays, Mess Beasley, Burney, Charleton, Cooley Davis, Harcourt, Moore of B. Selman, Throckmorton & Weatherford 10

Mr Dickson then moved to amend the bill by striking out that portion relative to felony — carried —

Mr Harben moved to amend by striking out "and shall fail for 30 days after the passage of this act to return to his allegiance to this state." The further Consideration of the bill was then postponed until Monday.

A Bill to define and punish the unlawful interference with the exportation and transportation of Cotton or other articles. Read 2. time and ordered to be engrossed. Upon a motion to suspend the rule the yeas and nays stood.

Yeas, Mess Beasley, Charleton, Davis, Dickson, Durant, Harcourt, Jordan, Jones, Mayoffin, Moore of D. Moore of B. Montague, Quayle Throckmorton, Weatherford, Wooten, & White, 17.

Nays, Mess Burney, Cooley, Ford, Harben, Kinsey, Knox, Mc & Selman 8

4.

Mr. Knox offered the following which was unanimously adopted.

Resolved, by the Senate, of the State of Texas, That we have heard, with profound sorrow the announcement of the death, of ~~the~~ N. A. Mitchell, the representative, in this body, of the 30th Senatorial District. In him the State has lost a valuable public servant, his Constituents an able representative, the Country a tried patriot and Soldier, and we, a Colleague whose amiable Character has endeared him to us all.

2nd Resolved, that to his bereaved family, in this their great affliction, we tender our heart felt sympathies; and that the Secretary of the Senate be instructed to forward to them a Copy of these resolutions.

3rd Resolved, that in honor of the memory of the deceased, that we wear the usual badge of mourning for the balance of the sesion; and that we do now adjourn until 9 oclk Monday morning next.

Report of

Judiciary

Committee

Read 16th May 1864

"C"

(Journal of 16th May)

Committee Room 16 May
The Judiciary Committee
have considered a Bill to
amend Articles 743 & 744
of the Penal Code, and a
Majority of the Committee
direct me to report the
same back to the House
and recommend its pas-
sage. The amendment
proposed is to authorize the
infliction of Capital punish
ment in cases of Robbery
It was urged before the Com-
mittee that in some portions
of the State Lawless bands of
men, were marauding over
the Country, and by force and
violence Robbing peaceable Ci
-tizens of their property. That
such offenders must be over-
-ed by the fear of the Punish-
ment, and the proper knowing
that that punishment must
not be great, or certain, they
incline to commit the crime
- many punishment by hanging.
The amendment dispenses
with Corroboration.

Jno. T. Harcourt
Chairman

Senate Journal

Monday May 16.

1864

Read & Adopted.

5-16-64

Senate Chamber

Monday May 16th 1864

9 o'clk A M.

Senate met. Prayer by the Chaplain roll called. Quorum present. The Journal of Saturday was read and adopted.

[redacted] chairman of the Judiciary Committee made the following reports

"C"

also reported the following bills and recommended their passage.

A Bill to amend art 527 of the Code of Criminal Procedure - and A Bill to provide for the revision of the Laws

The committee on Engrossed Bills reported a Bill to define and punish the unlawful interference with the exportation and transportation of Cotton or other articles Correctly engrossed.

Mr. Throckmorton Chairman of Committee on Military affairs made the following report

"D"

On motion the rule was suspended and the resolution taken up for consideration. After some discussion it was passed informally for further action —

Mr. Gurvin moved to reconsider the vote adopting the resolution Calling on the Adjt & Insp. General for certain information — carried — The resolution was then amended by striking out "Adjt & Insp. General" and inserting "Governor". ~~C~~ as was then adopted —

Mr. White introduced a Bill to regulate the State finances. Read 1 & 2 time and referred to Committee on finance.

Mr. Durant introduced a Joint Resolution in relation to Lieut Gen. E Kirby Smith and the Army, Read 1 & 2 time and refer to Com. on Mil. Affrs.

The Bill amendatory of the law relative to divorce was read 2nd time. Mr Hartley moved to strike out "30" and insert "60" — Mr Harcourt moved to indefinitely postpone — Carried —

The Resolution relative to the military board being under Consideration Mr Gurvin offered a substitute — adopted as a substitute — The resolution was then slightly amended and adopted.

A Bill to punish offences Committed within this state by person, under the authority of the public enemy — Read 2. time — Mr White moves ~~to insert~~ "Counsel or attorney" after the word "enemy" in 1st Section and made special order for to morrow 11 o'clk A. M.

A Bill to define and punish the unlawful interference with the exportation and transportation of cotton or other articles. Read 3rd time. and ~~made~~ special order for to morrow 10 o'clk A. M.

A mesage from the House announced the passage of the following Bills

A Bill to amend the 1 & 2 sections of an act to incorporate the Rusk County Iron Company

A Bill to amend the 2. & 3 sections of an act to reorganize the 16th Judicial District and to define the times of holding Courts therein Read 1 & 2 times & refrd to Jud. Com.

A Bill to allow the use of the Penitentiary for the confinement of Deserters from the Army of the U.S. duly sentenced by Court martial Read 1 & 2 time & refrd to State affairs committee

A Bill to Incorporate Henderson female institute

A Bill to reorganize the 17th Judicial District and prescribe the time for holding Courts therein. Read 1st time & 2nd and refrd to Jud. Committee

A Bill to amend an act to organize County Courts Read 1 & 2 time & refrd to Jud. Committee

A Bill making an appropriation to defray the Contingent expenses of the extra session of 10th Legislature Read 1st time, Rule sus. Read 2nd time and passed to 3rd reading Rule sus. Read 3rd time & passed.

A Bill to Incorporate the Beaver Iron Manufacturing Company

The Senate then adjourned until 8 oclk A M to morrow

Report of Committee on Military Affairs

Rec'd & Read

Referred to Com

"O"

Journal of May 16th 1864

Senate Chamber
May 16th 1864

To the Vice President
of the Senate,

The committee on
Military affairs to whom was referred
that portion of the Governors Message
relating to the frontier have consid-
ered the same, and as a part of their
deliberations have had the accompanying
Joint Resolutions for adoption
From all the information obtained
by the Committee it is believed that the
organization provided for the defence
of the frontier by the last Legislature
will be as effective as any system that
can be devised — And your Committee
the first importance to the State that
this organization should not be interfered
with by the Confederate military authorities

Chairman

Senate Journal

Tuesday Jan 17.

1864

Read & Adopted

Senate Chamber.

Tuesday May 17th 1864

8 o'clk A.M.

Senate met. Prayer by the Chaplain. roll called. quorum present. The Journal of yesterday was read and adopted

Mr. Wm. M. Peck senator elect from the 19 Senatorial District came forrard took the oath of office and his seat

Mr. Hord from Com. on State affairs on behalf of said Committee recommended the indefinite postponement of a Bill to allow the use of the Penitentiary for the confinement of deserters from the Army of the C.S. duly sentenced by Court martial. Also a bill to amend the 819. & 820 articles of the Penal Code with the following amendments "Strike out the 1. 2. & 3rd Sections embracing all of the bill down to the words "free white person" in 5th line from bottom of 1st page. Amend last clause by striking out "five" and inserting "Six".

Mr. Harcourt Chmn of Judy Com. reported the following bills and recommended their passage.

A Bill to amend the 2 & 3. Sections of an act to reorganize the 16th Judicial district and to define the time of holding courts therein.

A Bill to reorganize the 17th Judicial district and prescribe the time for holding Courts therein

A Bill to amend the act to organize County Courts.

Mr. Selman offered the following.

Resolved that the Committee on the Judy be and is hereby instructed to enquire into and report upon the Constitutionality of a law authorizing the issuance of State Treasury warrants, such for instance as those issued under and by virtue of the 3rd Section of an act approved January 15. 1862 to the end that the Senate may have the benefit of the opinion of said

committee as to the Constitutionality or unconstitutionality ofsuch ifsues" Adopted

Mr. Dickson moved the reconsideration of the vote passing the bill making an appropriation to pay the Contingent expenses of the extra session of the 10th Legislature -Carried- The bill was then referred to finance Committee

Joint Resolution in relation to the frontier Read 2d time. Mr. Throckmorton moved to amend by striking out the proviso in 2nd Section.— Carried— Mr. Throckmorton offered for the fifth section the following substitute. "That the Governor make such arrangements with Genl Smith as he may be able to do for the payment subsistence &c of the frontier organization - Provided the forces so organized are not to be withdrawn from the control of the Governor and officers appointed by him" adopted Amend by striking out 1st Section giving ~~the~~ appropriate numbers to the other Sections — Carried — The Resolution was then ordered to be engrossed. Rule suspended Read 3rd time and passed ——

A Bill to define and punish offences committed within this state by persons under the protection of the public Enemy - Read 2nd time Mr. Ford moved to lay on table - Lost - The bill was then ordered to be engrossed.

A Bill to define and punish the unlawful interference with the transportation or exportation of cotton or other articles. Read 3rd time — Mr. Dickson offered the following amendment. "Provided that parties who have in good faith purchased exemptions for the transportation of cotton and turned over to the military authorities of the trans Missi Dept a portion of their cotton to secure the same

where the same has been done previous to the passage of this act shall not be held liable to the pains and penalties herein contained for the use of the said permits in conformity with the Contract under which they were granted." Mr. Dickson then moved to postpone further consideration until Thursday next 10 o'clock A. M.

The Senate then adjourned until 8 oclk A M to morrow

Senate Journal
Wednesday Mar
18/1864

Read & adopted

3-18-64

Senate Chamber
Wednesday May 18. 1864
8 o'clk A.M.

Senate met. Prayer by the Chaplain - role called quorum present. The Journal of yesterday was read and adopted.

Mr. Harcourt chairman of Judy Com. made a report on the bill providing subsistence for families Soldiers recommending its reference to Committee on State affairs

The Committee on Engrossed bills reported the following correctly engrossed

Joint Resolution in regard to frontier organization: and a Bill to define and punish offences committed within this state by persons under the protection of the public enemy.

The committee on Military affairs Mr Throck Morton Chairman reported a Bill supplementary to an act to provide for the protection of the frontier and turning over the frontier regiment to U.S. service app'd Dec 15. 1863. Read 1st time

The following reports were presented by the committee on State affairs

Majority Report "C"
Minority Report "F"

Mr. Peck was added to com on Finance and Com. on Enrolled Bills

Mr Harris from Com. on Mil affrs reported the Joint Resolution complimentary to Lt. Gen Smith &c and recommend its pasage.

Mr. Mootten introduced a Bill to regulate the election of Chf Justice and asso Justices of Supreme Court. Read 1 & 2 time & ref'd to Judiciary Committee

Mr. Gunnin offered the following

"Resolved That the resolution adopted by the Senate excluding private or local business be rescinded" Laid over 1 day

A Bill to punish unlawful interference with the exportation or transportation of cotton or other articles" Read 2 time. Mr. Dickson withdrew his motion to postpone to a day certain whereupon the question arose upon the adoption of the amendt. offered by him. The yeas and nays stood thus; Yeas: Messrs Beasley, Burney, Charleton, Davis, Dickson, Durant, Ford, Gunnin, Haskell, Hord, Jordan, Jones, Kinsey, Lea, Magoffin, Moore of D. Moore of B. Montague, Peek, Quayle, Shockmorton, Weatherford, Wooster 23

Nays. Messrs Cooley, Harcourt, Hartley, Knox, Parsons, Selman, White 7

Mr. Selman then offered the following amendment, "Sec 2 If any person or persons not authorized by law shall impress or attempt to impress any species of property within the State of Texas for any purpose whatever or having impressed the same shall not have done so in strict accordance with existing laws and legal regulations as to the manner of impressment and compensation allowed shall be deemed guilty of the offence defined in the 1st. section of this act and on conviction thereof in the district Court shall be fined or punished accordingly"

The Senate then adjourned until

3 o'clk P. M.

3 oclk P. M.

Senate met. roll called - quorum present

Mr. Selman by leave withdrew his amendment and offered the following:

Sec 2. If any person or persons shall in any manner not sanctioned by law impress or attempt to impress any property within the State of Texas for any purpose whatever, or shall aid assist, encourage, order or abet any person or persons so to do, or having impressed any property shall fail or refuse to pay a just compensation for the same or give such evidence of the impressment as required by law such person or persons shall be deemed guilty of an offence and on conviction thereof shall be punished by fine not exceeding double the ~~amount~~ value of the property and by confinement in the County jail for a period not exceeding one year at the discretion of the Jury. adopted by the following vote;

Yeas. Messrs Beasley, Burney, Coley, Davis Dickson, Durant Ford, Gunn, Harcourt, Hartley, Haskell, Hord, Lowry, Kinsey, Knox, Lea, Magoffin, Moore of D. Montague, Peck, Quayle, Selman, Shrockmorton, Weatherford, Wooten and White 26.

Nays. Mr. Parsons.

Mr. Hartley then moved to strike out 1st. Section - Mr. Harcourt moved to lay the motion on the table - Carried by the following vote

Yeas. Messrs Beasley, Burney, Coley, Dickson, Durant, Harcourt, Haskell, Hord, Magoffin, Moore of B. Montague

Peck, Quayle, Selman, Throckmorton, Weatherford
Wootten and White 8.
Nays: Messrs Davis, Ford, Gunnin, Hartley, Jones, Kinsey
Show, Lea, Moore of D. & Parsons 10.

Mr. Weatherford moved to amend as follows
"That it shall be the duty of the Judges of
the District Courts to give this act special
y in charge to the Grand Juries"
adopted by the following vote
Yeas. Messrs Beasley, Burney, Cooley, Dickson, Durant, Ford
Gunnin, Harcourt, Hartley, Haskell, Hord, Jones, Kinsey
Knox, Magoffin, Moore of D. Moore of B. Montague, Peck
Quayle, Selman, Throckmorton, Weatherford, Wootten & White 25
Nays. Messrs Davis, Lea, Parson, 3

Mr. Harcourt offered to amend
the caption as follows add "and the unlawful
impressment of property" upon which the yeas
and nays stood
Yeas. Messrs Beasley, Burney, Charlton, Cooley
Davis, Dickson, Durant, Ford, Gunnin, Harcourt
Haskell, Hord, Jordan, Jones, Kinsey, Knox,
Magoffin, Moore of D. Moore of B. Montague
Peck, Quayle, Selman, Throckmorton, Weatherford
Wootten & White 26
Nays Messrs Hartley, Lea & Parson 3
The bill was then passed by the following
vote; Yeas; Messrs Beasley, Burney, Cooley, Dickson
Durant, Harcourth, Hartley, Haskell, Hord, Jordan
Moore of B, Montague, Peck, Quayle, Selman, Throck
morton, Weatherford, Wootten & White 19.

Nays. Meprs Charlton, Davis, Ford, Gurrin, Somers
Kinsey, Knox, Lea, Magoffin Moore of D.
& Parsons, 11

Mr. Dickson then moved to reconsider the vote just taken and to lay that motion on the table. Whereupon Mr. Gurrin moved a call of the Senate which was sustained the Senate being full the Yeas and Nays were called on the ~~reconsideration of the vote~~ motion to lay on table motion to reconsider and agreed to which is;

Yeas, Meprs Beasley, Burney, Cooley, Dickson, Durant, Ford, Harcourt, Haskell, Hood, Jordan Somers, Magoffin Moorefield. Moore of B. Montague, Peck, Quayle, Selman, Throckmorton Weatherford, Woollen & White 22

Nays. Meprs Charlton, Davis, Gurrin, Hartley, Kinser, Knox, Lea, Parsons, & Mr. Hartley by leave changes his vote on the final passage of the bill.

The following communication from His Excellency the Governor.

Here insert "A X" "B X" & "C X"

The first was refrd to Com on Finance, the second to com on Milty affairs and the third to comm. on Militara affrs.

The Senate then adjourned until 8 o'clk A. M. to morrow.

Report from Committee on State Affairs on

A Bill to protect the rights of the citizens of Texas

Read & Adopted

"C"

Journal of 18. May

Committee Room May 16th 1864

To the Hon. F. S. Stockdale President of the Senate

A majority of the Committee on State Affairs to whom was referred "a bill to protect the rights of the citizens of this State" have instructed me to report the same back and to recommend that it be indefinitely postponed -

respectfully

E Bond

Chr of the Committee

"H"

Journal of 18. May

The Committee on Finance, to which was referred so much of the Governors first Message of this Session as relates to the Currency, have considered the subject, and now report in part thereon by presenting herewith "A Bill to be entitled An act to regulate the reception and disposal of certain funds therein described".

Considering the necessity for promptly adopting some such measure as is manifest to need explanation, the Committee recommend the speedy passage of the Bill.

An Act

To amend Articles
743 & 744, Chap 8th
Title 1st of the Penal
Code

May 15. 64 Read 1st & 2nd
time and Referred
to Jud. Com.

May 19. 64 Read and
ordered to be Engrossed

Engrossed same day

R. Thomas C C Sen.

May 19. Bill Passed

R Dryden

May 20. Read 3rd time
" 28. " 2d time
& ref. to Enrg. Com.

5-25-64

The bill to amend Arts 743 & 744 Chap 8. of the Penal Code was reported as having been correctly engrossed.

The following report was also made.

The Com^t on Enrolled bills have examined and find correctly enrolled the following bills, viz:

An act to amend the 2^d and 3^d Sections of an act entitled an act to reorganize the 16^th Judicial District and define the time of holding Courts therein approved Feb 2^d 1861, Joint Resolution in regard to the manufacture of Salt. The same being signed by the Speaker of the House of Representatives and President of the Senate with this day presented to his Excellency the Governor for his approval

W C Wicliffe

A Bill supplementary to an act for the protection of the frontier and turning over the frontier Regiment to C. S. Service — Read 2^nd time.

Mr. Throckmorton moved to amend the bill by providing that the Provost Guard therein provided for be placed on the same footing as soldiers of the same grade in Confederate Service except as to clothing striking out after "shall" in 2^nd line from bottom of 3^d Section and insert "be placed upon the same footing as to pay rations and everything else, except clothing, which shall not be furnished, as Confederate State Troops." adopted. Mr. Cravin then offered the following. Amend by adding "Provided that so soon as the provost guard are organized a certain platoon under this act shall pay allowed for the service of such as are out of the confines.

Report of the Committee on Finance, in part, on the Governor's Message as to Currency, with "A bill to be entitled An Act to regulate the reception and disposal of certain funds, therein described."

"C"

Journal of May 19. 1864

Lea, Chairman.

Senate Chamber
Thursday May 19. 1864
8 o'clk A. M.

Senate met. Prayer by the Chaplain. roll called quorum present. The journal of Yesterday was read and adopted.

Mr. Quayle presented petition of Citizens of Tarrant County relative to subsistence of Soldiers families Refrd to Finance Committee

The Finance Committee Mr. Lea Chm made the following report.

"G"

The Bill

was read 1st time — said Committee also recommended the passage of the Bill making appropriation to defray the Contingent expenses of the extra Session of 10th Legislature without amendment

The following majority and Minority reports were made from the Committee on Military affairs

Maj. Rep. "I" & Minority Rep "J"

The Bill reported by the Majority was read 1st time —

The following report was also received from the Military Committee.

"H"

Mr. Throckmorton introduced the following bill A Bill to repeal the 1st Sec. of an act to amend the location and sale of the Public domain except in certain Cases approved Dec 14. 1863 and to provide for the sale of Lands, Land Scrip and location of the same. Read 1st time refrd to Com on Public Lands.

A Message from the House announced the passage of the following bills_

A Bill to amend 13. Section of an act regulating estrays in certain Counties

A Bill to suspend the levy and Collection of a special tax by Comal County Court until 1 year after the close of the war.

A Joint Resolution in relation to the manufacture of salt.

A Bill to Incorporate the Dallas manufacturing Company

A Bill to Incorporate the Cherokee furnace Company

A Bill to incorporate the Trinity mills manufacturing Company

A Bill to amend the 1st. Sec. of an act regulating purses appd. 4 May 1846.

A Joint Resolution requesting the return of the 1. 4 + 5. Texas Regiments

A Bill to Incorporate the Falls of Brazos Manufacturing Company—

Mr. Harcourt introduced a Bill to repeal an act prohibiting owners of slaves from placing them in charge of farms or stock ranches detached from the Home of the owner, Read 1st 2 times and refrd to Com on State affairs

Mr. Guirin introduced a bill to authorize administrators & guardians to fund or exchange the Confederate Money on hand. Read 1st 2 time and refrd to Judiciary Committee

Mr. Harcourt introduced a Joint Resolution in regard to the present war Read 1st 2 time and refrd to committee on Confederate relations

Mr. Durant introduced a Joint Resolution relating to conduct of Army officers &c Read 1st & 2 time and refrd to Com Mil affrs.

Mr. Dickson moved to suspend the rule so as to take up and consider a Bill reported this morning by Finance Com to provide for the disposal of certain funds therein named. ~~Carried~~ Lost.

The Resolution relative to rescinding the rule in relation to local or private business being read Mr. Moore moved the following amendment insert "so far as to allow legislation incorporating manufacturing ~~purposes~~ companies". Laid on table- Mr. Dickson then offered the following ~~substitute~~ amendment. "Provided that business of a general character shall in all cases take precedence of bills of a local or private nature -" Adopted - The Resolution was then adopted.

Joint Resolution in relation to the manufacture of salt was then taken up - Read 1st time. Rule suspended

Read 2 time. Mr. Lea moved to strike out "the manufacture at Corpus Christi" adopted. Mr. Hartley moved to refer to committee on State affairs-lost- Mr. Davis moved to strike out "Lake Ristero"- Mr. Hord moved as an amendment to strike out the 2nd preamble. The amendments being withdrawn Mr. Lea moved to strike out all of the preamble except that which relates to the action of the Conscript Bureau- Mr. Hartley offered a substitute for Mr. Lea's Amendment as follows "to detail such nurmber of men as may be necessary for the manufacture of salt for the use of the people no more than one man for a manufactury making 20 bushels per day" Lost. The amendment was then adopted. and the Resolution paped to 3rd reading. Rule suspended Read 3rd time & paped.

A Bill to define and punish offences committed within this state by persons under the protection or authority of the public enemy- Read 3rd time and paped.

A Bill to amend art 7435 7744 of the Penal code. Read 2. time - & ~~[illegible]~~ suspended Read 3rd time and paped-

A Bill to provide for a revision of the laws Read 2nd time and ordered to be engroped. Rule suspended, Read 3rd time & paped.

A Bill to amend art 527 of the Code of Criminal procedure. Read 2 time

House. ~~Lovitt Resolution~~ requesting the return of the 1. 4. & 5 Texas Regiments. Read 1st time Rule suspended. Read 2nd time & refered to Com on Military affairs

A Bill for the subsistence of soldiers families. Rea 2nd time & Refrd to com. on State affairs

Mr. Beasley introduced a bill to provide for redressing grievances of the Citizens of the State of Texas suffered at the hands of officers and soldiers of the Confederate States Read 1 & 2 time and refrd to Military affairs

The com. on Mil affrs. reported recommending the papas of Joint Resolution relating to conduct of army officers &c

A Bill to amend an act to organize County Courts Appd. Feb 16, 1852 Read 2nd time and passed to 3rd reading. Rule suspended Read 3rd time and passed.

A Bill amending ~~to~~ An act to reorganize the 16th Judicial District & to provide for ~~holding~~ the time of holding Courts therein. Read 2, time & Mr. Lehman moved to amend by inserting "11th Monday" in stead of "8th Monday" for the terms of the Court in Van-Zandt County - laid on table - Bill passed to 3rd reading. Rule suspended Read 3rd time & passed

The Senate then adjourned until 8 oclk A. M. to morrow -

Senate Journal

Friday May 20

1864

Read & Adopted

Senate Chamber Friday May 20th 1864. 8 o'clk A. M.

Senate met & prayer by the Chaplain. Roll called. Quo rum present. The journal of Yesterday was read and adopted

Mr. Harcourt presented the memorial of citizens of Fayette County in relation to sheep raising Refrd to Com on State affrs.

Mr. Harcourt chm Jud. Com reported a substitute for a bill to regulate the election of Chf Jus. and Asso Justices of Supreme Court Also recommended the passage of the Bill to define the boundaries of the Headright Leagues of land granted to, Same & Mc Kavis and Mc Cain and recommended that a Bill to amend 1st Section of the act to suspend all laws for the Collection of debts &c &c. do not pass

Mr. Davis one of Com. on Mil. affrs. made the following report "J."

Mr. Ford one of the Ladies Com. reported on their behalf and recommended the passage of the Joint Resolution relative to Impresments.

The Com. on State affrs. recommended the Indefinite postponement of a Bill to ~~Provide~~ an act prohibiting owners or employees of slaves from placing them in charge of farms or stock ranches detached, or removed from the home or place of residence of the owner or employer &c

Mr. Reasler offered the following Resolved that the Com. on State affairs be instructed to inquire into that part of the Govr. Message relative to the necessary wants of Soldiers families in Collin and Medicines and report by bill or otherwise & Adopted

ceede in consideration of being exempted from
Conscription and in case they will not serve with
out pay they shall be turned over to the proper
Military authorities of the Confederate
Government"— Mr. Mootter moved to lay
on Table: Carried by the following vote
Yeas: Messrs Beasley, Burney, Cooley, Davis
Durant, Haskell, Hord, Lowery,
Goffin, Montague, Quayle, Shrockmorton
Weatherford, Mootter & White 16.
Nays. Messrs Charleton, Dickson, Ford,
Gunn, Hartley, Kinsey, Lea, Parsons &
Peck 7

Mr. Heathen moved to strike out
"except clothing" which shall not be furnished."
Carried The Bill
was then ordered to be engrossed
Rule suspended and passed by follow
ing vote
Yeas, Messrs Beasley, Burney, Cooley, Davis
Durant, Hartley, Haskell, Hord, Lowery,
Shrock, Lea, Magoffin, Moore of B. Mon
tague, Parsons, Peck, Quayle, Shrock
morton, Weatherford, Mootter & White
21
Nays, Messrs Charleton, Dickson,
Ford, Gunn, Kinsey 5—
A Bill to amend Arts 819 & 820 of the
Penal code with report of Under Com
recommending amendments— Read
2nd time — 1st Amendment adopted, 2nd
Amendment lost. Mr. Gunn then moved the indefi
nite postponement of the bill— Lost

The bill was then laid on table for the present—

A Bill to regulate the reception and disposal of Certain Funds therein described
Read 2nd time Mr. Lea moved to strike out "Treasurer" and insert "Comptroller" Carried.

Mr. Kinsey offered the following insert after "Act" in 9th line from top of 3rd Section "except for the advalorem tax on the assessment of property for year 1863 which advalorem tax may be paid in C. T. Note, of the old issue at their face value" Mr. Hartley moved to substitute the amendment by striking out "25 days" and inserting "30th Day of June" as the limit for receiving all notes under 100$ at their face value— Carried. Amendment was then put and lost by the following vote

Yeas: Messrs Charlton Davis Hartley Kinsey Mayo Fisher & Heather for 6

Nays. Messrs Beasley Burney, Dickson Ford, Gunning, Lorrey, Short Lea, Moore of D. Moore of B. Montague, Parsons, Quayle Peck Trootten & White 16.

Mr. Dickson offered the following amendments after the words "shall be exchanged for C. T. Notes of the new issue" and before the words according to the Law for such exchange "insert "or paid out on drafts of the Comptroller" Lost— Bill ordered to be engrossed. Rule suspended Read 3rd time and passed

A Bill to allow the use of the Penitentiary for the Confinement of deserters from C.S. Army with report of Com. recommending its indefinite postponement - Read 3rd time & Report adopted.
A Bill to protect the rights of the Citizens of Texas with report of Committee (Majority and Minority) Read 2nd time. The Reports Read - that of the Majority recommending the Indefinite postponement of the Bill - Mr. White moved to lay the Majority report upon the table - Lost. The Report was then adopted.
A Bill to amend 1 & 2 Sec. of an act to Incorporate Rusk Iron Company. Read 1st time Rule suspended Read 2 time and paped to 3rd reading Rule suspended Read 3rd time and paped on call of Yeas and Nays ~~unanimously~~ by Constitutional majority Mr. Peck voting Nay.
A Bill to Incorporate the Cherokee Furnace Company - Read 1st time. Rule suspended Read 2. time and paped to 3rd reading - Rule suspended Read 3rd time & paped by constitutional majority Mr. Cooler voting nay —
Mr. Burney offered the following resolution Resolved that the Com on State affrs be requested to take into Consideration the necessity of so altering or increasing the appropriations made for the support of the Deaf and Dumb, Blind and Lunatic asylums as to insure their maintainance until the next meeting of the Legislature and report by bill or otherwise. Adopted
Mr. Dickson offered the following Resolved that the Com. on State affairs enquire as to the

necessity of continuing the military board and report by bill or otherwise" adopted

(The Senate then adjourned until 8 o'clock A. M. to-morrow)

Senate Journal

Saturday, May

21. 1864

Read & Adopted

Senate Chamber
Saturday Mar 21/64
Frankfort

Senate met. Prayer by the Chaplain Roll called quorum present The Journal of the preceding day was read and adopted.

Mr. Gunn presented the Petition of Lydia Davis for divorce refd to Jud. Com

Mr. Rea chmn. of Finance Committee made the following reports

"J" & "K"

Mr. Harlan one of the Com. on Public Lands made the following report

"L"

The com on Enrolled bills reported Correctly enrolled A Bill supplemental to an act to provide for the protection of the frontier and turning over the frontier Regiment appd Dec. 15. 1863.

Mr. Harcourt introduced a Bill for the relief of Robert Robson. Read 1st time

Mr. Ford introduced Joint Resolution on the act of Congress suspending the privilege of the writ of Habeas Corpus. Read 1 & 2 time and refd to Jud. Com.

A Bill to reorganize the 17 Judicial District and to prescribe the time of holding Courts therein Read 2nd time and passed to 3rd reading Rule rus. Read 3rd time and passed

A message was received from the House announcing the passage of the following bills

A Bill to provide for regulating the finances of the State

A Bill to prevent slaves from exercising ownership over property

A Bill to supply the deficiency in the State Treasury

Mr Davis from Comm. on Mil. affairs on their behalf recommended the passage of Joint Resolutions complementary to Lt Genl Scott's Resolutions Read 2nd time and ordered to be engrossed Rule sus pended Read 3rd time and passed.

Mr. Lea moved to reconsider the vote which passed a Bill to regulate the reception and disposition of certain funds therein described, Carried. The Caption was then amended by striking out after the word "disposal" and inserting "Confederate notes and bonds now or hereafter in the Treasury exclusive of new issues" and bill passed

Joint Resolution relating to conduct of army officers. Read 2nd time — Mr. Harcourt offered the following as a substitute for the 1st Resolution — "That approving as we do the Legislation of Congress tending to strengthen the effective force of the army by requiring all clerks and employees who are able to perform active military service duty to be placed in the ranks and their places supplied by crippled soldiers or persons unfit for active duty in the field and whereas various military orders have been issued to enforce the law of Congress upon the subject we find the orders are disregarded" Adopted —

Mr. Hamlin moved to strike out that portion requiring Copy to be sent to our Delegation in Congress — lost —

Mr. White moved to strike out "events" and insert "proceedings." Carried.

Mr Lea moved to amend by striking out the words "controlling the same" and the words "enforce the laws as it is" and " — Carried — The resolution were then ordered to be engrossed Rule suspended read 3rd time and passed.

Mr. Lehman introduced a Bill to reattach Van Zandt County to the 9th Judicial district and to fix the time of holding District Court therein Read 1st & 2nd time and refd to Judiciary Committee

Mr. Moore of B. was excused from attendance upon the Senate until Wednesday morning next

A Bill to audit and pay certain expenses of officers in this state Read 2nd time

Mr. Dickson moved to lay on table the further Consideration of the whole subject, Carried by the following vote

Yeas. Messrs Beasley, Charleton, Davis Dickson, Durant, Ford, Gunn, Haskell Lowery, Moore of B. Montague, Parsons Peck, Selman, Weatherford & Woollen. 16

Nays. Messrs Cooley, Harcourt, Hartley, Hood, Jordan, Kinsey, Knox, Lea, Mayo, Griffin Throckmorton & White 11

A Bill appropriating money to pay the contingent expenses of extra session of 10th Legislature Read 2nd time — Mr. Ford moved to insert

"in Confederate money" Carried the bill
then passed to 2nd reading. Rule suspended
Read 3rd time and passed.

A (House) bill to provide for the liquidation
of claims against the State when there is a
deficiency of funds in the Treasury Rises
1st time Rule suspended Read 2nd time
Mr. Throckmorton offered a substitute
Mr. Swisher moved to amend the substitute by
striking out all of 3rd Section after the words
"new issue"— On Mr. Dickson's motion the
Senate resolved itself into Committee of
the whole Mr. Lomax in the Chair. After
some time spent therein the committee rose
and reported the substitute recommending its adop-
tion and asked to be discharged The report
was adopted and thereupon the bill and substi-
tute were referred to Finance Committee with
instructions to report on Monday morning
next, also to frame a bill, if in their judg-
ment they had the power to originate such
a measure in the Senate, providing for the
issuance of the bonds contemplated in the
subject-matter referred.

Mr. Moore of D. moved to reconsider
a vote adopting the report of the ~~Judiciary~~ Com-
mittee on State affairs indefinitely postpon-
ing a bill to protect the rights of the peo-
ple of Texas.

The Senate then adjourned
until 8 o'clk A M Monday next.

Senate Journal

Monday Mar.

23. 1864

Read & adopted

Senate Chamber

Monday May 23rd 1864

8 o'clk A.M.

Senate met. Prayer by the Chaplain. Roll Called. Quorum present. The journals of Saturday was read and adopted.

Mr. Harcourt chmn of Judiciary Committee made the following report

"A"

also reported that the proposed legislation is a Bill to authorize Admrs. and guardians to fund or exchange the Confederate money in their hands is unnecessary and inexpedient and recommending its indefinite postponement.

Joint resolution relative to the Conduct of Army officers was reported as correctly engrossed.

A Bill to amend art 527 of the Code of Criminal procedure Read 2nd time. Mr. Hartley moved to strike from 1st Section "Judicial District" and insert "County" adopted — Mr. Hartley then moved to strike out 3rd clause. Adopted — Mr Hartley then moved to ~~strike out "defendant"~~ insert after "defendant" the words "District Attorney" adopted — And bill ordered to be engrossed

Mr Court on Enrolled bills, made the following reports

"C" & "D"

Mr. Kinsey from Com. on State affairs made the following report

"O"

A message from the House announced the passage of the following bills

A Senate Joint Resolution relative to frontier protection

Joint Resolution in regard to Conscription —

a Bill to provide for the distribution of cloth made at the Texas State Penitentiary

A Bill amending an act authorizing the comptroller to receive from Rail Roads Companies the interest due and to become due on their bonds, —

A Bill to provide for the probate of wills, in certain Cases

A Bill for the relief of Robert Pulsford

A Bill to authorize the County Court of Hunt County to examine and if necessary correct the asses Sment Rolls for 1864;

Senate Joint Resolution in relation to the Conduct of Army officers with amendments — Under Consideration

A Bill to amend arts 819 & 820 of the Penal Code. Read 2nd time, and ordered to be engrossed.

Mr. Lea chmn. committee on finance made the following report.

"S"

A Bill to regulate the manner of liquidating claims for payment under appropriations made by the Legislature.

A Bill to suspend ~~the~~ collection of part of the advalorem tax

A Bill to regulate the disposal of unappropriated specie

A Bill to fix the rate of advalorem taxation

A Bill to provide for a loan with specific taxes

These bills were severally read and on Mr. Dickson's motion were taken up for consideration - and ~~severally~~ read 1st time - The first named bill having been reported as a substitute for the bill referred on Saturday the question occurred on its adoption which was put and carried - Mr. Hartley offered the following amendment Strike out "newspaper" and insert "in such C. S. notes as the port. of the C. S. ~~Treasuries~~ receivable recognizes as its Currency and receives for public dues at its face value" Laid on Table.

Mr. Ford moved to strike out in proviso

of second section the words "or bank bills at par." - after some discussion the amendment was withdrawn

Mr. Hartter then proposed to amend as follows. after "America" 10th line insert "and as a Hospital fund for the soldiers of Texas in the armies of the Confederate States of America

Lost.

Mr. Selman then moved to strike all that part of the bill which provides for funding the treasury warrants - The Yeas and nays being called on its adoption stood, Yeas: Messrs Beasley, Hartter, Haskell Parsons, Peck, Selman, Weatherford. 7 Nays. Messrs Burner, Charlton, Cooley, Davis, Dickson, Durant, Ford, Gunn, Harcourt, Court Jordan, Lowry, Kinser, Knox Lea Mayoffin, Montague, Quayle & Throckmorton 18

Mr. Parsons then offered the following amendment Of 2nd section strike out the words "Those specified in the first section and" The Yeas and Nays stood

Yeas; Messrs Beasley, Selman, Parsons & Weatherford 4

Nays; Messrs Burner, Charlton, Cooley, Davis, Dickson, Durant, Ford, Gunn, Harcourt, Hartter, Haskell, Hord, Jordan, Lowry, Kinser, Knox Lea, Mayoffin, Moore of D. Montague & Throckmorton & White 24

The Yeas and nays were then called on the final passage of the bill and

Hood Thos
Reas; Mesrs Charleton Cooley Davis ~~Garland~~
Ford Grimm Haskell Hord Jordan Somers
Kinoy Lea Magoffin Montague Throck
morton 13
Nay. Mesrs Beasley, Burney, Harcourt
Hartley, Kinsey Moorefd. Carson, Peck
Selman and Weatherford & White 11

~~A Bill to suspend the collection of part of the advalorem taxes now due Read 2nd time.~~

A Bill to suspend the Collection of part of the advalorem tax - a Bill to fix the rate of advalorem taxation and a Bill to provide a loan with specific tax were by leave withdrawn by the Chrm of finance Comtt.

A Bill to regulate the disposal of unappropriated Speci Read 2nd time and ordered to be engrossed - Rule suspended Read 3rd time and passed.

A Bill to repeal the 1st section of an act to provide for the sale of the public domain with report of Com on public Lands recommending its indefinite postponement - Read 2nd time - The report was laid on table - Mr. Harcourt then moved to lay the bill on the table - carried

A Bill to provide for regulating the finances of the State - Read 1st time - Rule sus. Read 2nd time and refrd to Com on Finance

Mr. Hartley introduced a Bill setting apart the proceeds of land scrip ~~all the funds~~ received by Commr. of Genl. Land office

during the present war for the benefit of Citizens of this State who have participated in the war. Read 1st & 2nd time and refer'd. on Mr. Throckmorton's motion to Mr. Hartley as a Select Committee of one ~~Com~~ ~~said~~

Mr. White introduced a Bill to Incorporate the Guadalupe Manufacturing Company Read 1st & 2d time and refer'd to Com on State Affairs

Joint Resolution in relation to Improvements Read 2nd time — The substitute of Committee on State affairs was adopted

The senate then adjourned until ½ past 3 o'clk P. M.

½ past 3 o'clk P. M.

Senate met. roll called, Quorum present.

The Joint Resolutions in relation to improvements being before the Senate Mr. Hord moved to strike out 6th Resolution Carried.

Mr Parsons offered the following amendment

Resolved &c

That it is not the intention of this Legislature in passing these resolutions, to object to the ~~Legislature~~ improvement of ~~of~~ Provisions and property for the benefit and support of the army of the Confederate States, when such improvement is made by some officer on Requisition having authority ~~Legislature~~ ~~Provided~~ to make such improvement, but the intention ~~intention~~ and intention in the passage of the same ~~these resolutions~~ is to bring improper influence upon the Confederate and State the necessity of ~~dispensing to~~ providing for the punishment of ~~persons~~ persons impressing property ~~to the contrary notwithstanding~~ authorizing them ~~so to do~~ without proper evidence authorizing them so to do.

Madison Cable

Mr. Lea moved to strike out so much of the 7. Resolution as authorizes the Governor to do what he thinks proper to remedy the injustice set forth in the resolutions — carried —

Mr. Harcourt offered the following amendment to come in as the 6th Resolution

6th. That in some sections of our country there is a great scarcity of breadstuffs and other family necessaries and where efforts have been made to transport such articles to supply such needful wants of our people the teams and employ ers have been unwarrantably impressed. This practice should be forbidden by positive law or an imperative order from officers having the authority to correct the evil. Adopted

The Resolutions were then ordered to be engrossed Rule suspended. Read 3rd time & passed.

Joint Resolution requesting the return of the 1. 4 & 5 Texas Regiments with report of Committee recommending Indefinite postponement. Read 2. time — Report laid on table.

Mr. Durant offered the following amdt.

In the preamble add "and the old Terry regiment and all other Texas Regiments" In the third resolution add the names of Gen W. D. Gleson and Genl C. S. Rob. and Col Thos. Harrison after Genl John Gregg. "amdt. Mr. Lelman moved as an amdt. to add Capt. Douglas Battery after Terry Regiment — Mr. Burnes moved to add "Genl H. B. Granbury" — Amendt accepted by Mr. Durant and his amdt. adopted — Referred to Com on Military affairs

The report of Finance Com. adverse to the petition of the Chf Justice of Tarrant County was adopted

Mr Hord introduced Joint Resolution of thanks to Col Santos Benevides - Read 1st time Rule suspended Read 2nd time and ordered to be engrossed. Rule suspended Read 3rd time and paped.

The report of finance Com on a bill to regulate State finances asking to be discharged was read - the report and bill was laid on the table for the present -

A Bill to repeal an act prohibiting owners or employers of slaves from placing them in charge of farms or stock ranches detached or removed from the home or place of residence of the owner or employer with report of Comm. on State affairs recommending indefinite postponement - Read 2. time - Report laid on table and bill ordered to be engrossed. Rule suspended Read 3rd. time and paped.

A Bill to prevent slaves from exercising ownership over property - Read 1st and 2 time and refd. to Com. on State affairs -

A Bill to amend the law suspending the laws for the Collection of debt with report of Judcy Com recommending ~~indefinite postponement~~ that it do not pas - Read 2nd time Rule suspended and the Senate then adjourned until 8 oclk A M to morrow

Senate Journal

Tuesday May

24. 1864

Read & adopted

1-24-64

1

Senate Chamber

Tuesday May 24. 1864

Senate met. Prayer by the Chaplain. Roll called Quorum present. The journal of yesterday was read and adopted.

Mr. Harcourt chmn. Jud. Com. recommended on behalf of the Majority the passage of a Bill to reattach Cavanal County to the 9th Judicial District and to fix the time of holding Court therein.

Mr. Flanni from Comm. on State affairs reported a substitute for a Bill to Incorporate the Guadupe Manufacturing Company

The following bills were reported Correctly Engrossed. Bill to amend art 527 of the Code of Criminal Procedure

Bill to amend art 820 of the penal Code

Joint Resolution relative to Improvements

The Committee on State affairs Mr. Hord Chmn. recommended the Indefinite postponement of a bill to prevent slaves from exercising pretended ownership over property - Also the following report

"R" Bill read 1st time -

Mr. Parsons offered the following resolution Resolved that the Committee on Finance be requested to take into Consideration the propriety of using a portion of the funds appropriated for Hospital purposes, for the purpose of aiding such of our soldiers as have been permanently disabled in the late battles in Louisiana and Arkansas

in returning to their homes And if in the opinion of said Committee such use of said funds be expedient and necessary that they report a bill making such disposition of said funds or if in their opinion it be necessary to appropriate any other funds for that purpose that they report a bill making such appropriation" Adopted

Mr. Burnett introduced a Joint Resolution relative to the disposition of Cotton Cards. Read 1st time Rule suspended Read 2nd time and ordered to be engrossed — ~~Rule suspended Read 3rd time and passed~~

A message from the House announced that that body had refused to adopt Senate substitute for their bill to supply deficiency in State Treasury. The Senate adhered

The question being taken on the adoption of the report of Sudder Com. amending the law suspending the laws for collection of debts &c resulted as follows.

Yeas. Messrs Burney, Charleton, Davis, Dickson, Ford, Gunn, Jordan, Lowry, Moore of D. Montague, Parson, Throckmorton, Weatherford 13.

Nays. Messrs Beasley, Cooley, Burnett, Harcourt, Haskell, Hord, Kinsey, Knox, Magoffin, Moore of B. Peck, Grayle & White. 13. The President voted Nay

The bill was then Considered — Mr. Ford moved to strike out of proviso all from word "enemy's" to "or" and insert "or persons who abandon

the Country" adopted. The bill was then
engrossed by the following vote
Yeas Messrs Beasley Cowen Davis Durant
Harcourt Haskell Hord Linsin Shoop Lee
Magoffin Moore of B. Peck Greyfe Selman
Shockmorton and White 17
Nay Messrs Burner Charlton Dickson
Ford Guinn Lordan Lowry Moore of
C. Montague Parsons & Weatherford 11
The com. on Enrolled bills reported as foll
ows.
Hon P. W. Shickadale Pres of the Senate
The Com to whom
Enrolled bill, have examined and find correctly enrolled
a "Joint Resolution" in reference to the frontier organization
The same being signed by the Speaker of the House of Representatives
and President of the Senate was this day presented to his Excellency
the Governor for his approval
D C Dickson
Chmn

The report of Lucy Cain on the petition
of Lydia Davis was adopted.
A Bill to incorporate the Beaver Iron
Manufacturing Company Read 1st time
& rule suspended. Read 2nd time and passed to 3rd
reading Rule further sus. Read 3rd time
and passed by constitutional majority Mr
Peck voting Nay

A Bill to amend the stray Laws - Read 1st time Rule suspended, Read 2. time - Mr. Quayle moved to strike out the counties names so as to make the bill general in its operation. Mr. Burney moved to refer to State affairs — Lost. — Mr. Quayles motion was then put and Lost. Mr. Jordan moved to add Fort Bend Brazoria Matagorda Chambers Carried - Mr. Burney moved to add McLennan & Bosque Counties carried. Mr. Harcourt moved to insert Colorado & Travis Carried Mr. Moore of B. to insert Travis Hays and Bastrop Carried. Mr. Mayo offered to insert El Paso. Carried. & Bill passed to 3rd reading.

A Bill to regulate the election of Ch Justice and asso: Justices of Supreme Court - Read 2nd time - substitute reported by Jud Com adopted - The bill was laid on table -

A Bill to authorize Admrs & guardians to fund or exchange Confederate Money on hand. Read 2nd time - Report of Jud Com. recommending indefinite postponement of the bill adopted

The Resolution of adjournment laid on table for the present.

Joint Resolution relative to Constitution - Read 1st time & Refrd to State Affrs.

A Bill to Provide for the distribution of the Cloth manufactured at the State Penitentiary - Read 1st time & Refrd to Finance Committee

A message from House, announced the passage of the following bills

Senates Joint Resolutions of thanks, to Col Santos Benerides and Joint Resolution of thanks to Gen. Smith and the Army ~~to the and~~.

A Bill for relief of the Indigent families of Calhoun County

~~A Senate Bill to provide for the protection of the frontier with amend~~

A Joint Resolution in relation to the sick and wounded soldiers in Louisiana & Arkansas

A Bill to amend art 965 of Code of Criminal procedure

And refuse to recede from their position on a bill to supply deficiency in the State Treasury and ask for committee of Conference

Have passed Senate bill to provide for a revision of the laws. & refused to adopt Senate substitute for a bill to provide for regulating the finances of the State. and have passed A Bill to prohibit the sale of ardent spirits within 3 miles of Waxahatchie—

6.

A bill amending an act authorizing the Comptroller to receive from Rail Road Companies the interest due on their bonds. Read 1st time & Refrd to Finance committee

A Bill to provide for the probate of wills in certain cases. Read 1st time - Refrd to Judiciary Committee

A Bill to amend art 820 of Criminal Code - Read 3rd time - laid on table for the present

A Bill amending art 527 of the Code of criminal procedure - Read 3rd time and rejected —

Mr. Beasley introduced Joint Resolution in relation to ordnance stores Read 1st time

A Bill to incorporate the Henderson Masonic Female Institute Read 1st time Rules sus. Read 2 time & passed to 3rd reading - Rules sus. Read 3rd time & passed by unanimous vote —

A Bill to suspend the levy and Collection of special tax by Co Ct. of Comal County Read 1st time Rules sus. Read 2 time & passed to 3rd reading. Rules sus Read 3rd time & passed.

A Bill to Incorporate the Dallas Manufacturing Company. Read 1st time Rule sus. Read 2nd time and passed to 3rd reading. Rule sus. Read 3rd time and passed by Constitutional Majority Messrs Peck. Quayle Selman voting nay—

A Bill to Incorporate the Dallas & Brazos Manufacturing Company. Read 1st time Rule suspended Read 2nd time and Refrd to Com on State affrs

A Bill to amend 1st Sect. of an act regulating Juries Read 1 & 2 time & refrd to Judy Comm.

A Bill to incorporate the Trinity Mills manufacturing company — Read 1st time & refrd to Com State affairs.

A Bill to authorize the C. C. of Hunt county to revise & correct assessment Rolls. Read 1 time — Rule sus. Read 2nd time Mr. Quayle moved to amend so as to make the provisions of the Bill applicable to Tarrant Co, Carried & Passed to 3rd reading Rule sus. Read 3rd time & passed —

Messrs Lea, Throckmorton & Guinn, were appointed Com of Conference on the disagreement of the two Houses on the bill to supply a deficiency in the State Treasury.

Mr Lea Chm Finance Comt. made the following Report

"R"

Substitute reported by the Committee adopted. & passed to 3rd reading — Rule sus.

pended Read 3rd time and paked.

Mr. Dickson moved to reconsider the vote laying on the table a Bill to repeal 1st. Section of an act ~~~~ to suspend the location and Survey of the public land- Carried. Bill Read 2nd time — Mr. Hartley offered a substitute - lost. Mr. Hartley then offered the following amend.t

Strike out the 2nd Section and and insert

Section 2nd That the Commissioner of the General Land Office is authorized to issue land scrip in Certificates of not less than one hundred and sixty acres (except in the case provided for in the 4th Section of an act entitled ~~an act to amend the 1st and 11th~~ an Act to Authorize the sale of the Public Domain, approved February 11th 1858) which Certificates may be sold at the price of two dollars per acre, shall issue in the name of the purchaser, and may be located upon any vacant unappropriated public domain, not being set apart, used in reservation, or the location of which is ~~not~~ prohibited by law.

Hartley

Lost

Mr. Throckmorton offered a substitute for the 3rd Section. adopted.

Mr. Henry then offered the following Provided that no Certificate for less than 160 acres shall be located on any water Course, spring, or permanent water hole except when entirely surrounded by previous survey. - adopted.

Mr. Weatherford offered to amend by reducing the price of land as determined by the bill just 1/2 lost.

Mr Throckmorton moved to amend as follows. add to 4th Sec. "and the alternate sections belonging to the State surveyed by internal Improvement companies may be sold at the same price -" - adopted

Mr. Gurrin offered the following "Provided persons may have fractions of land surveyed less than 160 acres when the same is surrounded by previous surveys at 50 cents per acre"

Mr. Hartley moved to substitute the amendment as follows. "Provided that no certificate shall be issued and located of less than 160 acres unless the public domain on which it is located shall be completely surrounded by previous surveys."

The senate then adjourned until 1/2 past 3 o'clock P M.

3½ oclk P. M.

Senate met. Roll called. Quorum present.

The question before the Senate being the adoption of Mr. Hartley substitute for Mr. Gunns amendt. the consideration of the subject was on suggestion passed informally for the present.

Joint Resolution relative to the sick & wounded soldiers of Texas in Louisiana and Arkansas Read 1st time Rules sus. Read 2. time and passed to 3rd reading. Rule suspended Read 3rd time and passed.

A Bill to amend 965 art. of the code of Criminal procedure Read 1st time & Referred to Judcy Comm't.

A Bill to define the boundary of the H.R. League of land granted to James McHair and Attmelain of Colorado County. Read 2nd time, and laid on engrossment

The Senate adhered to its substitute for House bill to provide for regulating the finances of the State.

The substitute of Mr Hartley to Mr Gunns amdt. before the senate at its adjournment this morning was considered and the yeas and nays on its adoption stood

Yeas. Messrs Davis Hartley Blascomb Haskell Jordan Somers Kinsey Lea Moore of B. Peck & Selman. Nays. Messrs Beasley Burnett Charleton, Durnett Ford Gunn Hord Ivey Mayfield Moore of D. Montague Parsons Quayle, Shrock Morton Swafford & White 16

Mr. Guinn's amendment was then put and lost.

Mr. Guinn then moves to strike out 50 and 75 Cents wherever they occur and insert 1$. adopted

Mr. Guinn then offered a substitute for the 3d Section except the proviso that when persons desire to purchase land scrip in quantities not to exceed 40 acres the same shall be sold at $1.50 pr. acre and for scrip for more than 40 acres and not to exceed 80 acres at $1.25 pr. acre and for all scrip in quantities of 120 acres and over the price shall be 1$ pr acre." adopted

A message from House informed the Senate of the adherence of that body to their position on a Bill to provide for regulating State finances and had appointed a committee of Conference thereon Whereupon the Senate appointed Messrs Lea Dickson & Moore & Davis a like Committee

Mr. Hurlbut then moved to amend the bill unda consideration as follows: "All surveys made under the provisions of this act, provisions surveys permitting shall be made in a square except on navigable water courses and upon them they shall not front exceeding 1/2 the square of the survey" Lost

The yeas and nays on the engrossment of the bill stood

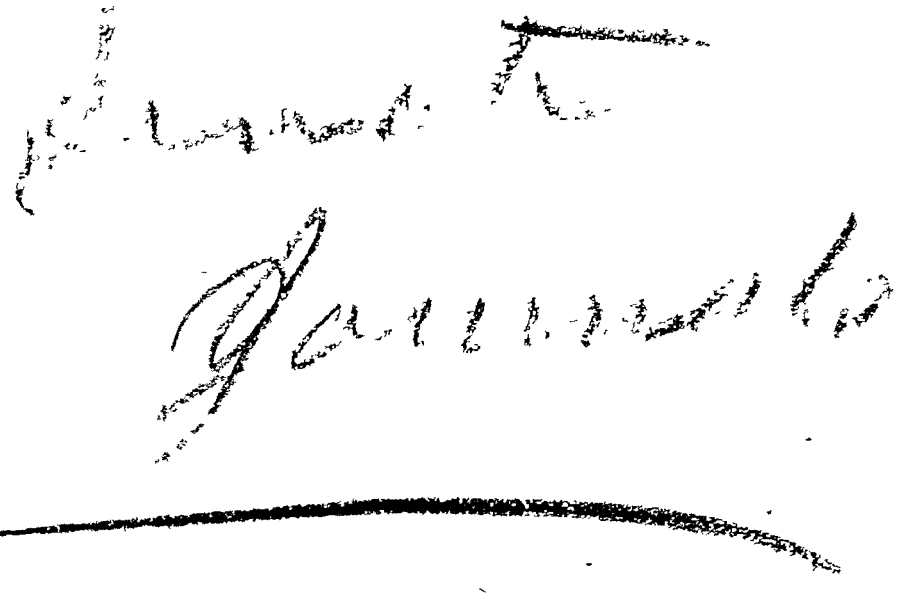
Yeas, Messrs Burney, Cooley, Dickson Durant Ford, Gunn, Haskell Hord, Knowles Magoffin, Moore of B, Montague Olsen, Peck, Quayle, & Throckmorton 17

Nays Messrs Beasley, Charleton Davis Harcourt Hartley Jordan Somers Kinsey Moorefield, Selman, Weatherford & White 12.

A Bill for relief of Robert Robson- Read 2nd time & ordered to be engrossed. Rule suspended Read 3rd time & passed.

A Bill for relief of Robert Pulsford Read 1st time Rule sus. Read 2nd time and Passed to 3rd reading- Rule sus, Read 3rd time and passed

The Senate then adjourned until 8 oclk A M to morrow.



6-25-64

1.

Senate Chamber

Wednesday May 25. 1864

8 o'clk A. M.

Senate met. Prayer by the Chaplain. roll called Quorum present. The Journals of yesterday was read and adopted.

Mr. Harcourt chm. of Judiciary Committee made the following report.

"S" & "F."

The following bills were reported Correctly engrossed.

A Bill to amend the Stay law.

A Bill to repeal 1st. Section of an act to suspend the location and survey of the public domain except in certain cases.

A Joint Resolution in relation to the Sale of Cards.

A Bill to provide for the support of the Lunatic deaf and dumb and the blind Asylums Read 2nd time. Mr. Hartley moved to amend by striking out "45000" and inserting "65000" as the supply to the Lunatic Asylum. Bill laid on table for the present.

Mr Ford from Judy Com. reported a Bill to authorize Co. A. of Caldwell Co. to levy and collect an ad valorem Specie tax for support of Soldiers families. Read 1st time

Mr. Ford introduced a Bill to incorporate the San Marcos Manufacturing Company. Read 1st 2 time and referred to com. on State affairs

A Bill prohibiting slaves from exercising ownership over property Read 2nd. time with Report of Com recommending its indefinite postponement. Mr. Gunn

moved to lay report on the table. The yeas and nays were as follows:

Yeas. Messrs Beasley, Burney, Gunn, Hord, Moore of Davis, Moore of B. Montague, Parson, Selman, Throckmorton, Weatherford, Wooten & White 13.

Nays. Messrs Cheatham, Davis, Dickson, Ford, Harcourt, Hartley, Haskell, Lowery, Kinsey & Peck 10.

A motion to lay the Bill on the table was then put and lost.

Mr. White offered to amend by adding section as follows. That any free person who shall trade with slaves in any kind of stock cattle shall be guilty of a misdemeanor and on conviction thereof shall be fined for the first offence not less than 25 nor more than 200 dollars and on a second Conviction shall be confined in the penitentiary not less than one year." Mr. Hord offered a substitute for the proposed amendment. That the owner offending under the 1st section of this act may be indicted and tried in the District court and upon conviction shall be fined in any sum not exceeding the value of the Horse, cattle, Sheep or goats or hogs or which such negro may exercise a pretended right of ownership or on which such negro shall have a brand or ear mark. - adopted. It was then adopted as a substitute for the 2nd Section of the bill.

Mr. Ford moved to amend by insert the words "Knowingly" "before" "permit". Carried —— Bill passed to 3rd reading. Rule suspended. Read 3rd time and caption amended accordingly so as to read to prevent the owner of slaves from allowing

slaves to exercise ownership over property.

The bill was then passed.

A message was rec'd from House announcing the passage of following bills.

A Bill to incorporate the star state Machine and manufacturing Company

A Bill supplemental to and amendatory of an act to establish a penal code and that the House had adopted the Conference Com. report on a bill to provide for regulating the State finances.

Mr. Rea Chm com. Conference made the following report.

(see Rep. com con on the above bills)

"Ms"

Whereupon the report was adopted

The com on Enrolled bills made the following report

Hon. F. S. Stockdale Pres of the Senate

The Com on Enrolled bills, have examined and find correctly enrolled the following bills viz "An act to suspend the collection of a special tax by the county court of Comal County until one year after the close of the war between the Confederate States and the United States, An act to incorporate the Beaver iron manufacturing company An act to incorporate the Henderson masonic female Institute, An act to authorize and require the county courts of Hunt and Tarrant counties to examine and if necessary to correct the assessment rolls of said counties for the year 1864 so as to conform to the several laws of this state in relation to the ~~to the~~ assessment and collection of ad valorem taxes all of which being signed by the speaker of the house of Representatives and President of the Senate were this day presented to his Excellency the Governor for his approval

A. C. Treadwell
Chm

Mr Harcourt Chm Ludeu Com made the following report.

"V"

Mr Ford offered the following. Resolved that the Com on Finance be directed to inquire into the propriety of passing an act making all bail bonds and recognizances payable in Specie or state Treasury warrants alone and report by bill or otherwise adopted

A Joint Resolution relative to sale of ordnance stores Read 2. time and lost on Engrossment

A Bill to Amend the Stay law — Read 3rd time & the yeas and nays on the passage of the bill stood

Yeas: Messrs Beasley, Davis, Durant, Harcourt Hartley, Hood, Kinsey, Lea, Magoffin, Moore of B. Peck, Quayle, Throckmorton & White. 12

Nay, Messrs Burney, Charlton, Dickson, Ford, Gumm, Jordan, Lowes, Knox, Moore of D. Montague, Parsons, Peakstone & Wooten 13

A Joint Resolution relative to the disposition of cards — Read 3rd time — Mr Ford moved to strike out all relating to the members of the Legislature — Lost — The Resolution then passed.

Mr Dickson introduced a Bill making an appropriation to pay for stationery, lighting materials &c for 10th Legislature extra Session — Read 1st time & Refrd to [illegible] Expenses

with instructions to report this P. M.

A Bill to repeal 1st Section of act to suspend the location & survey of the public lands &c Read 3rd time- The yeas and nays upon its final passage stood thus.

Yeas: Messrs Burney, Cooley, Dickson, Ford, Guinn, Haskell, Hord, King, Lea, Magoffin, Moore of B. Parsons, Peck, Quayle Throckmorton & Hootten 16

Nays. Messrs, Beasley, Charlton, Davis, Durant, Harcourt, Hartley, Jordan, Lowry, Kinsey, Moore of D. Montague, Weatherford & White 13-

A Bill to amend the Estray laws. Read 3rd time- Mr Quayle moved to add "Clark & Palo Pinto" Counties- adopted- The Bill was then lost on its passage-

A Bill Supplemental and amendatory of an act to establish a penal code- Read 1st time and ref'd to Judiciary Committee

Mr. Hord chm. Com State affrs reported recommending the passage of the following bills

Joint Resolution relative to Subscription and the following amendments to Bill to incorporate Falls of Brazos Manufacturing Company.

In last line of Sec 8: Strike out five, and amd to Bill to Incorporate the Trinity Mills Manufacturing Company as follows. add to 1st Sec. "and in all suits And legal proceedings against this Corporation it shall be sufficient to make service by in other case upon the president or to leave a copy of the deed

Establish & petition at the usual place of the Corporation for doing business" In last line of Sec 6. strike out the word five — — The Bill was taken up — read 2. time & amendments adopted —

Mr. Hartley moved to amend by striking out "real and personal property" and insert "~~such~~ personal ~~and real~~ property and such real property as may be necessary for ~~the erection of buildings~~ of buildings for the use of the Company in the erection and carrying on the business of the Company as herein set forth" — Lost

Mr. Lord offered a substitute for the amendt. "Provided however that said Corporation shall not acquire or hold more real estate than is necessary for the location of their necessary buildings & machinery"

The yeas and nays upon its adoption stood

Yeas. Messrs Burney, Charlton, Cooley, Dickson Ford, Gunnin, Hartley, Hord, Lomax, Jansen Lea, Mayo, Griffin, Moore of B. Parson, Peek Quayle, Selman, Throckmorton, Wooten 19

Nay. Messrs Beasley, Durant, Lordan, Moore of Lo. Strickland, Strozier 5 —

Mr. Lordan moved to amend by adding 'And such laws as said Company may receive from the state under provision of an act to encourage the erection of certain machinery by donations of land and otherwise approved Dec. 15. 1863. adopted

Mr. Quayle moved to amend "provided that the stockholders in the Company shall be severally liable for the debts of the Corporation whenever the property of the Corporation shall be insufficient to satisfy said debts" — The yeas and nays were called on

a motion to lay the amdt on table and stood
Yeas: Messrs Beasley, Charlton, Dickson, Ford
Gunning, Hartley, Haskell, Lordan, Lowery, Lea
Moore of D. Moore of B. Throckmorton
Weatherford & Wooldridge 15
Nays Messrs Burney, Cooley, Durant
Ford, Kinsey, Knox, Magoffin, Parsons
Peck, Quayle, & Selman 11.
The bill was then passed
to 3rd reading. Rule suspended. Read
3 time and passed by Constitutional majority
Yeas Messrs Cooley, Durant, Harcourt, Knox
Magoffin, Peck, Quayle, voting nay
Mr. Quayle moved to reconsider a
vote which refused to pass a bill relative to
the Stray Laws—
Mr. Lea Chmn. of Com of Conference
made the following report.
"W" (on bill (revenue) made
special order for 1/2 after 3 o'clk P. M. The
Senate then adjourned until 3½ o'clk P. M.
3 1/2 o'clk P. M.
Senate met—roll called—Quorum present—
Mr. Moore of D. was excused from attendance on the
Senate after this evening. The Report of committee
of Conference on a bill to supply a deficiency in
the State Treasury was adopted
A Bill to prohibit the sale of ardent spirits within
5 miles of Waxahatchie—Read 1st time
Mr. Dickson offered the following—Resolved That
the Secy of the Sen. employ such clerical assistance as
he may need to keep up the business of the Senate during
the remainder of the session adopted

The com. on Con. Expenses reported an amdt. to a bill making an appropriation for stationery &c. strike out "Military Board." and insert "Governor" — The report was on motion taken up — Mr. Dickson offered the following "Provided that the appropriation may be paid out of any money subject to the control of the Governor or military board for any other purpose." — adopted Mr. Lea then moved to amend amdt. of Com. by striking out of the bill the words "out of any funds in the hands of the Governor" carried — the Bill was then ordered to be engrossed. Rule suspended Read 3rd time and passed.

Mr. Beasley introduced the following.

×

Resolution

Be it Resolved by the Senate of the State of Texas

1st That we but yield to the general voice of the people when we express the heavy bereavement of our State in the loss of our Gallant two of Generals, Green, Scurry - and Randall, who fell battling for freedom on the recent bloody fields of Red River,

2nd That as the "blood of the martyrs was the seed of the Church" so the blood of these patriots, will be the Palladium ~~holocaust~~ Ever-living principle of our young but. beloved Confederacy of States

3rd That as An ~~Our~~ expression of our respect for the memories of these heroes, This body will now adjourn until 8 Oclock Tomorrow morning

4th That a copy of these resolutions be furnished to the families of the deceased

Senate Journal

Wednesday Mar

25- 1864

Read & Adopted

Hon F. S. Stockdale Pres of the Senate
The Com on Enrolled bills have examined
and find correctly enrolled the following
bills, viz An act declaring an appropriation
for the Mileage and per diem pay of the members
and the per diem pay of the officers of the extra
session of the 10th Legislature
An act to regulate the manner of liquidating
claims for payment under appropriations made
by the Legislature
An act for Relief of indigent families of Calhoun
Refugio, San Patricio and Nueces counties
Joint Resolutions
An act supplementary to an act entitled an act
to regulate proceedings in the county courts pertain-
ing to estates of deceased persons approved 20th March
1848
An act to ~~define~~ incorporate the Guadalupe Woolen
Manufacturing company
An act to incorporate the Star State Machine
and Manufacturing Company
An act to transfer the State Troops to the Confederate
States Service and to repeal an act entitled an
act to provide for the defense of the State approved
December 16th 1863
Joint Resolution concerning the publication
of the State and Confederate States constitutions
Joint Resolution of thanks to Mrs Polly Hutchings &c
An act to incorporate the San Marcos cotton and
woolen Manufacturing company
An act to authorize the Governor to appoint and
commission an Officer to preside at the interior of the State and
of the Cortez, and holding of the State at the
Head quarters of the Trans Nueces Dept. and at the
Head quarters of the West of Texas and Trans
Arizona

Joint Resolution, in relation to the Judiciary
Judiciary
An act to provide the manner of proving a written will
An act making an appropriation to pay for stationary
and printing material purchased for the 10th Legislature
An act to punish unlawful interference with
private property or private rights
An act to amend the 3d section of an act to provide for
the support of the families and dependents of Texas Sol-
diers approved Dec 15th 1863
An act to incorporate the Comal Springs Manufacturing Co
Joint Resolution Regarding the return of the 1st 4th and
5th Texas Regiments
An act to authorize the county Court of Caldwell
Co to levy and collect an ad valorem tax in specie
to support the families and other dependents of Soldiers
An act for the relief of Lieut R M. Lockhart and acts of
the mounted Regt C.S.A.
An act making an appropriation to meet any defi
ciency that may occur in the appropriation to pay the
expenses of the Comptrollers Dept for the year 1864 & 65
An act supplemental and amendatory of an act
to adopt and establish a penal code
An act amending an act authorizing the Comptroller
of the State to receive from Rail Road Companies
in this State the outlines that may now be due or
hereafter become due on their bonds,
An act supplementary to an act to provide for
the protection of the Frontier
An act to incorporate the Texas Cotton Manufac-
turing Co An act to incorporate the Independence Manufac-
turing Co. All of which being signed by the presiding officers
of the two houses were this day presented to the Governor
for his approval

Dec 15th 1863

Yeas: Mess Cooley, Ford Gunn Harcourt Hartley
Lowry Knox Lea, Mayoffin, Moore of B. Montague,
Peck, Throckmorton & White 14

Nays: Mess Beasley Davis Dickson, Haskell
Kinsey, Parsons, Quayle, Rentfro & Wheeler 8

The bill was then passed to 3rd. read-
ing. Rules Sus. Read 3rd time & passed.

Joint resolution relative to the reception of remains of Brig Genl. Wm R. Scurry. Read 1st time Rules Sus Read 2 time & passed to 3rd reading Rules Sus. Read 3rd time and passed.

A Bill to incorporate the Fort Bend Trading Company Read 1st time ~~Rules Sus.~~

A Bill to incorporate the Comal county mutual aid association Read 1st time—

The Senate then adjourned until 8 oclk P M

8 oclk P. M.

Senate met - roll called. quorum present.

Mess Throckmorton, Dickson White and Chandler were appointed Committee to make arrangements for the reception of the remains of Brig. Genl Wm R. Scurry - The President of the Senate was unanimously requested to act as Chairman of the Committee.

The Com on Enrolled bills reported as follows.

+

Mr. Selman introduced a bill to provide for the funding of State Treasury warrants and for the final redemption of the bonds in which they are invested — Read 1st time Rule sus. Read 2nd time. and indefinitely postponed —

A Bill authorizing the issuance of notices to the employees of the Cap factory. Rule suspended Read 3rd time and passed

Mr Lea chmn. Com. Finance made the following report.

"M. M"

On motion report taken up: Bill read 2nd time — and passed to 3rd reading — Read 3rd time and passed —

Mr. Mootten offered the following —

A Bill to incorporate the Fort Bend trading Company Read 2nd time — a motion to suspend the rule was refused.

A Bill to incorporate the Canal Mutual Association was taken up. Read 2. time & passed to 3rd reading. Rule sus. Read 3rd time and passed by Constitutional majority —

Mr. Selman introduced a bill to provide for the funding of State Treasury warrants and for the final redemption of the bonds in which they are invested — Read 1st time Rule sus. Read 2nd time. and indefinitely postponed —

A Bill authorizing the issuance of patents to the employees of the Capitol. Rule suspended. Read 3rd time and passed

Mr Lea Chmn. Com. Finance made the following report.

"M. M."

On motion report taken up: Bill read 2nd time — and passed to 3rd reading — Read 3rd time and passed —

Mr. Trotter offered the following —

Resolved That the thanks of the Senate are hereby tendered to Lieut. Gov. A. S. Stockdale for the distinguished ability and impartiality with which he has presided over its deliberations during the Session of the Legislature now drawing to a close

Adopted

Trotter

Mr. Dickson offered the following

Resolved that the Secretary of the Senate be required to Copy the journals of this Session and the Sum of three hundred dollars out of the unexpended balance of the appropriation for the pay of the pardeau and mileage of the members and the pay of the officers be paid for the same.

Adopted

Resolved that the thanks of the Senate are be and they are hereby tendered to the officers of the Senate for the able and faithful manner with which they have discharged their duties.

Adopted

The following message from the Governor was read.

"A. A."

The Senate then took up a substitute for their bill on this subject adopted by and reported from the House of Representatives - Read & passed to 3rd reading Rules Rus. Read 3rd time and passed.

Messrs Ford & Ford were appointed a com. under Resolution authorizing an investigation of acts of Military Board - Messrs Baker & Gibbons by the House, & com. from House invited a like Com. to wait on the Gov. and inform him that the Legislature is about to adjourn Sine die. Messrs Harcourt & Gunnin were appointed a committee

Mr. Lowes offered the following

Senate Journal

Thursday

May 26th 1864

Read & Adopted

1-21-64

1

Senate Chamber

Thursday Mar 26. 1864

8 oclk A. M.

Senate met. Prayer by the Chaplain. Roll called. Quo rum present. The journal of yesterday was read and adopted.

The com. on Enrolled bills reported as follows

That they have examined and find correctly enrolled the following bills viz

"Joint Resolution in relation to sick and wounded Soldiers in Arkansas and Louisiana

An act for the relief of Robert Pulsford

An act to incorporate the Dallas manufacturing company. The same being signed by the Speaker of the House of Representatives and President of the senate were this day presented to the Governor for his approval

W C Nelson.
Chairman

The com. on Mil affrs through Mr. Jones reported a substitute for a Joint Resolution requesting the return of the 1. 4. & 5 Texas regiments. The resolutions were taken up Read 2nd time - substitute of com. adopted - Resolution passed to 3rd reading Rule suspended Read 3rd time and passed.

Mr. Lea chmn. Finance comm.

"X"

#2

A message from House announced the passage of the following bills

A Bill to punish unlawful interference with private property or private rights

A Bill to incorporate the West Texas Manufacturing Company

Senate Joint Resolution in compliments

Senate Bill to define and punish unlawful interference with the exportation & transportation of cotton with amendments which were concurred in

A Bill supplementary to act to regulate proceedings in Co. Ct. pertaining to estates of deceased persons.

A Bill to authorize the military board to purchase Drugs and Medicines for the use of the families of officers and soldiers

A Bill to amend 3rd Sec. of an act to provide for the support ~~of~~ ~~families~~ and dependents of soldiers

A Bill to further provide for the payment of interest on Public debt.

Senate Jt. Res. relative to sale of Cards. and had refused to adopt Con. Com. report on a bill to supply deficiency in State Treasury which was afterwards announced as having been recommended, and a committee of free Conference appointed consisting of Messrs Reid, Barton, Birdwell, Slaughter & Hart.

A Bill to transfer State Troops to C.S. Service and to repeal an act to provide for the defense of the State.

The com. on Mil. affrs. reported recommending the passage of a bill to incorporate the San Marcos manufacturing Company with amendments

1st. Sec. Strike out "property real & personal" and insert "personal property and such real estate as may be necessary to carry out the purposes of the corporation"

Amend 5 Sec. by adding "according to law"

Amend 6 Sec by striking out all that part exempting machinery from taxation

Mr. Ford offered a resolution (requiring concurrence of the House) the object of which is to raise a select Joint Committee to investigate fully the acts of the Military Board. informally passed over as present.

Mr. Gunn introduced Joint Resolution of thanks to Messrs Ball, Hutchings & Co Read 1st time Rules sus. Read 2nd time -

Mr. Throckmorton chmn of ~~Military~~ Committee on Military affairs made the following report

"Y"

Report taken up & Substitute adopted, and ordered to be engrossed Rules suspended Read 3rd time & passed

Mr Hord introduced a Bill to define the unlawful introduction and pasturage of Stock Read 1st & 2d time and ref to State affairs. Also Joint Resolution relative to printing the Constitution of the State and of the U.S. Ref'd to Com. on Printing

Mr. Montague introduced a Joint Resolution relative to the withdrawal from the line of frontier of the late frontier regiment Read 1st time Rule suspended Read 2nd time & ordd. to be engrossed Rule suspended Read 3rd time and passed

A Bill to Incorporate the San Marcos Manufacturing Company was taken up Read 2 time and Com adopted. and bill ordered to be engrossed. Rule suspended Read 3d time and passed by constitutional majority Mr. Peck voting nay.

A Bill to Incorporate the Star State Manufacturing company Read 1 & 2nd time and refrd to Com. on State affairs.

Mr. Gurrin moved to reconsider the vote taken yesterday adopting the report of the Com. of Con. on a bill to supply the deficiency in the State Treasury as a further Conference was desirable — such Conference was directed to be held by the committee already appointed for that object.

A Bill to Incorporate the Guadalupe Manufacturing Company — Read 2nd time Substitute of Com. on State affairs adopted ~~and~~ passed to 3rd reading — Rule suspended Read 3rd time and passed by Constitutional majority Mr. Peck voting nay" —

Mr. Gurrin was excused from attendance on Conference Committee and by the Senate action Mr. Jordan was appointed in his stead —

The Com on Enrolled bills reported as follows

Hon. A. S. Stockdale Pres of the Senate

The Com on Enrolled bills have examined and find the following bills viz An act to provide for the division of the land and to regulate the reception and disposal of Confederate Notes and bonds now and heretofore in the treasury the same being signed by the presiding officers of both houses of the legislature with this day presented to the Governor for his approval

W. E. Richardson

5.

A Bill to provide for the support of the Lunatic Deaf & Dumb & Blind Asylums Read 2. time & refrd to Com. on Finance

A Bill to provide for the probate of Wills in Certain Cases. Read 2 time Report of Incorp Com. recommending rejection of the bill adopted.

A Bill to amend 1st Sec. of an act regulating juries. Read 2. time - Report of Incorp Comt recommending its rejection adopted

Joint Resolution relative to Conscription Read 1st time Rule susp'd Read 2 time & passed to 3rd reading - Rule fur suspended Read 3rd time & passed.

A Bill supplementary to an act to regulate proceedings in County Courts pertaining to the estates of Deceased persons. - Read 1st time Rule suspended Read 2nd time & passed to 3rd reading -

A Bill to punish unlawful interference with private property or private rights Read 1st time & Refrd to Com on Judiciary -

Mr. Hartley made the following report

"H"

A bill to provide for the payment of the interest on the public debt of the State - Read 1st time & referred to Finance Committee -

A Bill to amend the act to provide for the support of the families and dependents of soldiers Read 1st time & refrd to State affairs

A Bill to authorize the Mil. Board to purchase Drugs & medicines for certain purposes Read 1st time refrd to Mil. Affrs.

6

A Bill for relief of indigent families of Calhoun County. Read 2 time & refrd to State affrs. with instruction to inquire into the propriety of extending simlar relief to other Counties.

A Bill to prohibit the sale of ardent spirits within 5 miles of Noxahatchie - Read 2 time and refrd to state affairs committee -

Senate then adjourned until ½ past 3 oclk P M.

3 ½ oclk P M.

Senate met. roll called - quorum present

The com. on Enrolled bills reported as follows:

Hon A. S. Stockdale Pres of the Senate

Sir The com. on Enrolled bills have examined and find correctly Enrolled the following bills viz Joint Resolution concerning the acts of the Confederate congress to regulate impressments and abuses under the same Joint Resolution in reference to cotton cards

The same being signed by the presiding officers of the two houses of the legislature were this day presented to the Governor for his approval

D Chrisman

Chm.

A Bill to amend Art 820 of the Penal Code Read 3rd time & passed

Mr. Harcourt chmn Judcy Committee made the following report

"A A"

also recommended the papage of a bill supplemintal to and amendatory of an act to establish a peral code

Mr. Hartley moved to take up report made by him this morning and the bill therein referred to - lost -

The following mesag from the Governor was read (calling attention to Tonkaway Indians) (here insert "B B")

Referred to the Committee on Militara affairs.

Joint Resolutions relative to the Suspension of the privilege of the writ of Habeas Corpus, Read 2nd time. The Senate resolved itself into Committee of the whole Mr Bowers in the Chair - After some time spent therein the Committee rose reported progress and asked leave to sit again to morrow at 10 oclk A. M.

The resolutions by Mr. Ford this morning relative to investigating the acts of the militara board were on motion taken up considered and adopted

A Bill to Incorporate Falls of Brazos Manufacturing Company Read 2nd time Amendments of Com. St affrs adopted and paped to 3rd reading -

The Com Enrolled bills reported as follows

Hon H. S. Stockdale Pres of the Senate The Comt on Enrolled bills have examined and find correctly Enrolled the following bills viz An act to prevent Slaves from exercising pretended ownership over property

An act to incorporate the Trinity Mills Manufacturing company. Both of which being signed by the Presidents of the Senate and Speaker of the House of Representatives were this day presented to the Governor for his approval

W Dickson
Chmn

The report of finance Comt on a bill amending act authorizing the Comptroller of the State to receive from Rail Road Companies the interest due on their bonds was taken up and adopted and Bill passed to 3rd reading Rule suspended Read 3rd time and passed.

The Senate then adjourned until 9 o'clk A. M. to morrow

Senate Journal

Friday May 27th

1864

Read & adopted

Senate Chamber

Friday May 27 1864

8 o'clk A.M.

Senate met. Prayer by the Chaplain. Roll called Quorum present The Journal of Yesterday was read and adopted.

The Com. on State affrs Through Mr. Risley recommended the passage of a bill to prohibit the sale of Ardent Spirits within the limits of Waxahatchie. The same committee through Mr. Davis reported a bill for the relief of the indigent families of Calhoun County and recommend the adoption of the following amendment-

insert reports mkd "B B"

Mr. Cooley introduced a bill for the relief of Lt. W.H. Cochran. R.A.C.S. Mt. Regt. T. S. T. Read 1st & 2 time and refer to Com. State affairs.

Joint Resolution of thanks to Messrs Ball Hutchins &c Read 2. time and ordered to be engrossed. Rule Sus. Read 3rd time and passed.

A Bill to transfer State troops to Confederate service Read 2nd time and Refrd to Com Militia affrs.

Mr. Hood chmn Com on State affrs recommended the passage of the following bills

A Bill to punish the unlawful ~~introduction~~ pasturage and running at large of stock.

Bill to amend an act to provide for the support of Soldiers families

And the following bills with and th
Bill to incorporate the West Texas manufac-
turing Company - add to 1st Sec - Provided
the Company shall not hold more real estate
than what shall be necessary to the carrying
on its proper business - Strike out 6th Section
Bill to incorporate Star State Machine
manufacturing Company - Strike out 90
and insert 20
A Bill to amend art 965 of the code of
Criminal procedure - Read 2 time Report
of Luder Com. recommending indefinite
postponement adopted
A Bill supplemental to and amendatory
of an act to establish a penal Code Read 2nd time
and passed to 3rd reading.
A Bill to set apart the proceeds of land scrip
sold by the Comm. of Genl. Land office for the
benefit of citizens of the State who shall have
served in the army of C. S. or of the State during
the present War and who shall have rec'd
an honorable discharge with report. of
select com. of one (Mr. Hunter) Read 2nd
time and rec'd. recommended adopted -
Mr. Harcourt moves to indefinitely postpone
Yeas Messrs Birney Ford Gunn, Harcourt
Lord Mc Moore & B. Throckmorton Wooten
& White 9
Nays Messrs Beasley, Carlton, Davis, Dickson, Hartley
Haskell Hord, Loren Kinsey, Knox, Mayo, Smith, Montague
Pierson, Peck, Quayle, Selman, Weatherford 17

The yeas and nays were then called on the engrossment of the bill and stood thus
Yeas. Messrs Beasley, Charlton, Davis, Durant, Hartley, Haskell, Jones, Linsey, Magoffin, Montague, Quayle, Selman, Weatherford 13.
Nays. Messrs Dickson, Ford, Gunn, Marcomb, Nord, Jordan, Knox, Moore of 13, Parsons, Peck, Throckmorton, Wooten, White 13
Mr. Gunn in the chair the engrossment was lost.

Mr. Throckmorton chmn Com Mil affrs. reported Joint Resolution for relief of the Tonkaway Indians - which on Motion was taken up Read 1st time Rules sus. Read 2nd time and ord to be engrossed - Rules Read 3rd time and passed.

A Bill to incorporate the falls of Brazos Manufacturing Company Read 2. time Amendments of Com. Jud. affrs adopted - and bill passed to 3rd reading - Rules sus Read 3rd time and passed by Constitutional majority Messrs Hartley, Throckmorton Weatherford voting Nay.

A Bill to incorporate the Star State Manufacturing Machine company - was taken up - Read 2nd time & committee amdt adopted Bill passed to 3rd reading Rules sus - Read 3rd time & passed by Constitutional majority Messrs Knox, Peck Weatherford voting Nay.

The com on Mil affrs. reported a bill turning over to C.S. the Militia with amdt. Provided that nothing herein contained shall

be so construed as to authorize the turning over to the Con Mil authorities any civil officer of the State or other person who is not subject to Con persecution under the laws of Congress. Adopted Bill passed to 3rd reading – Rule suspended Read 3rd time & passed –

The Com of free Conference Mr. Lee a. Chm. made the following report

"6 6"

The Com on Judiciary Mr. Vincent Chmn. recommended the passage of Bill to prevent unlawful interference with private property or private rights ~~Reported~~ Bill taken up Read 2nd time ~~and passed to 3rd reading Rule Sus Read 3rd time & passed~~

A Bill to prevent the sale of Ardent Spirits within 5 miles of Waxahatchie was taken up Read 2nd time and passed to 3rd reading Rule suspended Read 3rd time – The yeas and nays on its passage stood

Yeas Messrs Beasley, Davis, Durant, Gurrin, Hood, Jordan, Jones, Kinsey, Lea, Montague, Parsons, Peck, Quayle, Selman, Throckmorton, Weatherford & Woolen 17

Nays Messrs Charlton, Cooke, Ford, Hancock, Hartley, Haskell, Knox, Magoffin, White 9

A Bill for relief of indigent families of Calhoun County. taken up. Read 2nd time – Amdts of Com on State affairs adopted –

A Message from House, announced the passage of the following bills

Joint Resolution relative to the frontier with amdt. as indefinitely postponed.

A Bill Making appropriation for Mileage and per Diem of members &c

A Bill for relief of Lt. W. H. Cochran—

A senate Bill to authorize the appointment of an agent at Headquarters of Trans. Mich: Dept and Dist Hd. Q. Texas New Mexico & Arizona

Senate Bill for relief of Robert Robeson

Senate Bill Making appropriation for stationery &c.

Senate Bill supplementary to an act to provide for the protection of the frontier with amendments-Rec'd Amdt. Concurs

House Bills to furnish the reporter of Supreme Court decisions with stationery, Read 1st time Rules sus Read 2nd time Rules sus Read 3rd time & passed

A Bill to incorporate Comal Springs Manufacturing Company— Read 1st time

To authorize the purchase of addl. Machinery for the Texas Penitentiary &c

The Houses have adopted Free. Con, Con report on a bill to supply the deficiency in State Treasury

And bill passed to 3rd reading. Rule suspended Read 3rd time and passed.

The Committee on Engrossed Bills have Examined a bill to be entitled "An act to incorporate the San Ricaros Manufacturing Company" and also a Joint Resolution of thanks to the firm of Myrick Ball, Hutchings & Co and find the same correctly engrossed.

G. N. Jordan
Chm of Com.

Mr. Hartley moved to reconsider vote rejecting Bill to amend 965 art Code Crim. Procedure - Lost.

The Resolutions relative to suspension of writ of Habeas Corpus was considered in Com. of the Whole Mr. Somers in the Chair. After some time spent therein the Com. rose and reported a substitute for the resolutions and recommended its adoption and asked to be discharged. - substitute adopted Mr. Lea moved to postpone Consideration until 10 o'clock A.M. to Morrow - Carried.

A House bill for relief of Lt. W. H. Cochran Read 1st. Time & Referred to Com. on Mil. affairs -

A Bill to be entitled 3rd Section of act to provide for support of Soldiers families now taken up. Read 2. time and passed to 3rd reading. Rule suspended Read 3rd time and passed.

The com. on printing reported recommending the paper of 1st Resolutions relative to printing Slate and Co.s constitutions with the laws.—Laten up.— Read 2nd time and ordered to be engrossed Rule sus. Read 3rd time and passed.

The Senate then adjourned until 3½ oclk P. M.

3½ oclk P. M.

Senate met. roll called.—Quorum present. The resolution to adjourn sine die was taken up. ~~Mr. Gannon~~ Read and ~~amended by~~ postponed until to morrow at 3 oclk P. M.

Mr. Ford offered the following

Resolved by the Senate

That such members of the Senate as were unable to reach this place by the commencement of the present Session, but who have been in attendance during the session be entitled to draw their ~~pay~~ pay from the Commencement of the Session

Adopted

A Bill supplementary to an act to provide for the protection of frontier with House amendments—1st amdt. Concurred in.— 2nd amendmt to strike out 4th Section the year & nays stood

Yeas; Messrs Beasley, Burney, Cooley, Davis, Durant Harcourt, Hord. Jordan. Somers Knox, Magoffin, Moore of B. Montague Quayle, Throckmorton, Weatherford 16.

Nays. Messrs Dickson-Ford, Gurrin, Hartley Kinsey, Parsons Peck, Selman, & Walters 9

The Reports of Com. of Con. on the bill to supply deficiency in State Treasury was taken up, Read and adopted by the following vote;

Yeas Messrs Cooley. Davis, Durant Ford Gurrin Haskell Hord, Jordan Somers Knox, Lea, Magoffin Moore of Bastrop, Montague, Throckmorton & Wooten 16

Nays Messrs Beasley Burney, Hartley, Parsons Kinsey, Peck, Selman, Weatherford & White 9 —

A Bill making an appropriation for mileage and p.r. diem pay of 10th Legislature extra Session — Read 2nd time & passed to 3r. reading Rule sus. Read 3rd time and passed —

~~Rule sus. Read 3rd time and passed~~

Mr. Hord chm St. affrs. reported Bill for relief of A. W. Cochran and recommended its passage — Taken up. Read 2nd time and passed to 3r. reading — Rule sus — Read 3rd time & passed

Mr. Throckmorton from Finance Com reported as follows.

"O. O."

Rule sus. Bill taken up. Read 2. time — substitute adopted — and ordered to be engrossed. Rule sus. Read 3r. time & passed.

Mr. Lea Chm. Finance Committee made the following report

"C. C."

9.

Mr. Lea presented petition of the Mayor &
Com Patricia — Refrd to Com. on State affrs.

A Bill to incorporate the Comal Springs Oman
ufacturing Company Read 1st time Rule sus
pended. Read 2. time amended and paſsed to 3rd
reading — Rule suspended & Read 3rd time & paſsed
by Constitutional Majority Mesrs Peck & Realt
erford voting nay —

The Senate then adjourned
until 8 oclk A M to morrow

Senate Bill
Salmon May
2-8-1864

Read & Adopted

3-24-64

Senate Chamber
Saturday Mar 28. 1864
8 o'clk A.M.

Senate met. Prayer by Chaplain. roll called
Quorum present The Journal of the previ
ous day was read and adopted
The Committee on Enrolled Bills made the
following report

Hon. H. S. Stockdale Pres of the Senate
The Committee on Enrolled bills examined
and find correctly enrolled "an act to define
and punish ~~the~~ unlawful interference with the
exportation and transportation of cotton or other
articles and the unlawful impressment of prop
-erty, which being signed by the Speaker of the
House of Representatives and President of the
Senate was this day presented to the Governor
for his approval

D C Dickson
Chmn

Mr. Sowers introduced a Bill further to provide the manner of serving a written vote - Read 1st time Rule sus. Read 2. time and ordered to be engrossed. Rule sus read 3rd time and passed -

Mr Kerman introduced a Bill to incorporate the Cairo manufacturing Company Read 1st time Rule sus read 2nd time - and ordered to be engrossed - Rule sus read 3rd time and passed by Constitutional majority Yeas Ford Kuykendall Knox Peck & Selman voting Nay

The Com on finance Mr Lea Chmn reported a Bill to amend the act appropriating 200,000 as a hospital fund. Read 1st time -

Mr Dickson offered a resolution to adjourn sine die this day at 11 oclk P.M. adopted.

A Bill to permit unlawful interference with private property or private rights Read 3rd time

Mr Lea moved to strike out all that part of the 1st Section ~~except that punishing for the offence of~~ preceding that where the act is done without lawful authority— Mr. Harcourt moved to lay the amdt. on table

Yeas Messrs Beasley Cooley Durant Ford Harcourt Haskell Jordan, Mayoffin Moore of B Montague Selman Throckmorton, Trotter 13.

Nays. Messrs Burney, Charlton Davis Dickson Grimm Hartley Jones Kinsey Knox Lea Parsons Peck Quayle, Weatherford & White 15 The Yeas and Nays were then called on the adoption of the amdt. and stood

Yeas, Messrs Burney, Charlton, Davis Dickson Grimm, Jones Kinsey Knox Lea, Parsons Peck, Weatherford & White 13.

Nays. Messrs Beasley, Cooley, Durant Ford Harcourt, Haskell, Jordan, Mayoffin Moore of B Montague, Quayle, Selman Throckmorton Trotter 14.

Mr. Grimm moved to amend Provided the person prosecuted under this act shall have the right to plead & prove an order from a superior officer which order shall be ~~accomplished~~ a complete defence provided such person did not exceed his authority in said order.

Mr Hartley moved to amend amdt of Mr Grimm by inserting "wilfully maliciously and "before every description of an offence in the bill." Mr. Harcourt moved to lay both amdts on table. Yeas & Nays were called and stood thus

the claim to a sum of money in the hands of ~~Col L. C. McCord~~
Col L. C. McCord

A Bill to incorporate the Fort Bend Trading Company.

A Bill to declare forfeitures of property in certain Cases.

A Bill to incorporate Comal County Mutual aid association

A Bill to incorporate the Tyler county Ice and machine factory

Senate Bill to regulate the disposal of unappropriated Specie.

House concur in Senates resolutions raising a com. to investigate acts of Military board with Amdt.— concurred in. A Bill requiring Chf Justices to hold their office at the County Seat.

House refuse to Concur in Amdt 2 & 3 of Bill to provide for distributing Cloth made at Penitentiary And concur in other Amdts On a motion to recede the Senate sustained a call— The Senate being full Mr. Throckmorton moved to lay the motion to recede on the table—

Yeas: Messrs Beasley, Durant Gunn Harcourt Hartley Hord, Jones, Knowles, Moore & B, Montague, Throckmorton & Wooten 13

Nays. Messrs. Burney, Charlton, Davis Dickson Ford Hankell, Jordan Kinsey, Parsons, Peck Quayle Selman, Weatherford & White 14.

4

A message from the House announced the passage of the following bills.

Senate bills.

Joint Resolution of thanks to Messrs Ball Hutchins & Co.

Joint Resolution in behalf of the Tonkaway Indians

A Bill to Incorporate the Guadalupe Manufacturing Company

A Bill to Incorporate the San Marcos manufacturing Company

Joint Resolution relative to printing State and U.S. Constitution with the laws of the present session

House bills

Bill to Incorporate the Independence Manufacturing Company

Bill to meet any deficiencies that may accrue in the Comptrollers Dept.

Bill to Incorporate the Texas Copper manufacturing Company

Joint Resolution in regard to the reception of the remains of Brig. Gen. Jno R Scurry

Bill to authorize the issuance of rations to certain employees in the Cap Factory

& Senate bills to provide for the manner of proving a written will. Bill to Incorporate the Cairo Manufacturing Company Bill to authorize Co Ct of Caldwell Co. to levy & collect Special tax -- & House bills - Bill for relief of Minor heirs of late Jno D. Stell - Bill to provide for the discharge of Sureties on official bonds & Bill to relinquish the right of

Yeas Messrs Beasley Cooley, Durant, Ford
Harcourt Haskell Hord Jordan, Magoffin Moore
of B. Lelman, Throckmorton Wooten &
White 14.
Nays Messrs Burney Charleton Davis Dickson
Gunn Hartley Somers, Kinsey, Lea, Parsons
Peck & Weatherford 12

The bill was then passed by the following vote

Yeas Messrs Beasley Cooley, Durant, Ford
Harcourt, Haskell, Hord, Jordan, Magoffin
Moore of B. Lelman, Throckmorton Wooten
& White 14

Nays Messrs Burney Charleton Davis,
Dickson, Gunn, Hartley, Somers, Kinsey
Kinzy Lea Parsons, Peck & Weatherford 13

Mr. Charleton introduced a bill
to Incorporate the Tyler County Card and
machine manufactory — Read yesterday
Rule sus. Read 2. time and ordered engrossed
Rule sus. Read 3rd time and passed by
Constl. majority Mr. Peck & Weatherford voting Nay

Mr. Lea chmn finance comm't made
the following report.

"G G"

Nays. Messrs Burney Charlton Davis Dickson Gunn Hartley Lowery Kinsey, Lea, Parsons Peck & Weatherford 12

The bill was then passed by the following vote

Yeas Messrs Beasley Colley, Durant, Ford Harcourt Haskell, Hood, Jordan, Magoffin Moore of B. Selman, Throckmorton Wooten & White 14

Nays Messrs Burney Charlton Davis, Dickson, Gunn, Hartley Lowery, Kinsey Kinsey Lea Parsons, Peck & Weatherford 13

Mr. Charlton introduced a bill to Incorporate the Tyler County Card and machine manufactory — Read 1st time Rule sus. Read 2. time & ord to be engrossed Rule sus. Read 3rd time and passed by Const. majority Mr. Peck & Weatherford voting Nay

Mr. Lea Chmn finance comm. made the following report.

"G G"

Bill read 1st time

Rule suspended Read 2nd time. Mr. Harcourt offers the following amdt.

Provided — that no agent or Contractor appointed to carry out the provisions of this act shall receive any salary or Compensation in Specie, and provided further that no extraordinary or extravagant Compensation shall be allowed to any person Connected with such transaction,

Lost

The bill was then ordered to be engrossed. Rule suspended Read 3rd time and by the following vote;
Yeas; Messrs Beasley Davis Dickson, Durant, Gurrin, Hartley, Haskell, Lowery, Nunsey, Knox, Lea, Magoffin, Moore of B. Moalpin, Peck, Throckmorton, Woodlee & White. 18,
Nays. Messrs Ford, Harcourt, Hord, Jordan Parsons 5—

A Bill to Incorporate the Independence Manufacturing Company Read 1st time Rule sus. Read 2. time & paped to 3rd reading Rule sus. Read 3rd time & paped by Constitutional majority Messrs Hartley & Peck voting Nay.

A Bill to authorize the issuance of rations to the employees of Cap Factory — Read 1st time Rule sus. Read 2. time & postponed until 3 o'clk P.M.

A Bill supplemental to an Amendatory of an act to establish a Penal code Read 3rd time and paped —

A Bill to incorporate the Texas Copper Manufacturing Company Read 1st time — Rule suspended Read 2nd time and paped to 3rd reading. Rule sus. Read 3rd time and paped by Constitutional majority Messrs Hartley & Peck voting Nay.

A Bill to authorize the issuance of rations to the employees of Cap Factory — Read 1st time Rule sus. Read 2. time & postponed until 3 o'clk P.M.

A Bill to authorize G. C. Caldwell Co. to levy and collect a Special tax Read 1st time Rule sus Read 2. time & paped to 3rd reading Rule sus Read 3rd time & paped

7

A Bill to relinquish the right of the state to a certain sum of money in the hands of Col L. E. McCord. Read 1st time Rule sus. Read 2 time and paped to 3rd reading. Rule sus. Read 3rd time and paped -

Joint Resolution relative to suspension of the privilege of writ of Habeas Corpus Read 2nd time - Mr. White offered a substitute, ~~read~~ ~~and~~ Mr. Harcourt moved the previous question which was ordered. The main question being the engrossment of the resolution was put and the Yeas and Nays were as follows.

Yeas; Messrs Beasley, Cooley, Davis, Harcourt Hord, Jordan, Magoffin, Montague, Peck, Throckmorton Weatherford Wootten 12

Nays. Messrs Burney, Charlton, Dickson Durant Ford Gwinn, Hartley, Haskell, Lowry, Kinsey, Key, Lea, Moore of B. Paxton, Quayle, & White 16

A Bill to prohibit the unlawful introduction and pasturage of stock. Read 2nd time Rule sus. Read 3rd time & paped

The Senate then adjourned until 3 o'clk P. M.

3½ oclk P.M.

Senate met. roll called. Quorum present Mr. Throckmorton chmn. Mil com reported recommending that a Bill to authorize the purchase of drugs and medicines for the families of officers & soldiers do not pass.

Mr. Lea chmn. Finance committee made the following reports

"I. I" & "J. J"

A Bill to authorize the issuing of rations to employees in the Capitol, Read 2. time and passed to 3rd. reading -

A Bill to provide for discharge of securities on official bonds Read 1st. time Rule sus. Read 2nd time & passed to 3rd reading Rule sus. Read 3rd. time and passed -

A Bill to declare forfeitures of property in a certain case therein recorded for. Read 1st time & ref'd to Judiciary Committee.

A Bill for relief of minor heirs of Jno. D. Stell - Read 1st. time Rule sus. Read 2 time & passed to 3rd reading. Rule sus Read 3rd time and passed by the following vote

Yeas, Messrs Beasley, Burney, Adams, Durant, Ford, Harcourt, Haskell, Ford, Jordan, Kinsey Lea, Magoffin, Moore of B. Montague, Parsons, Quayle, Selman, & Wooldridge 18.

Nays, Messrs Charlton, Cooley, Dickson, Gudwin, Lowery, White 6.

Mr. Harcourt made the following report

"K K"

The vote refusing to engross the resolutions rel=ative to the suspension of the writ of Habeas Corpus was reconsidered — Mr. Selman then offered a substitute — Mr. Lea moved to lay the consideration of the subject on the table.
Yeas: Messrs Beasley, Burney, Charlton Durant, Gunn, Jordan, Knox, Lea, Moore of B. Montague, Parsons 11
Nays: Messrs Cooley, Davis, Dickson, Harcourt, Haskell, Hord, Jones, Kinsey, Magoffin, Peck, Quayle, Selman, Throckmorton, Wealthersford, White, Wooten 16 The adoption of the substitute was then lost by the following vote.
Yeas: Messrs Davis, Harcourt, Hord, Kinsey, Peck, Quayle, Selman, Throckmorton, Wooten, White 10
Nays: Messrs Beasley, Burney, Charlton, Durant, Ford, Gunn, Hankins, Haskell, Jordan, Jones, Knox, Lea, Magoffin, Moore of B. Montague, Parsons 16
Mr. Kinsey moved to strike out the last 3 lines of Sec 1. "Lost"
Mr. Harcourt offered to amend by "permitting any expression of opinion as to any necessity existing for suspending the writ" The yeas & nays stood
Yeas: Messrs Cooley, Davis, Dickson, Ford, Harcourt, Hord, Jordan, Kinsey, Magoffin, Peck, Selman, Throckmorton, Weatherford, White 14.
Nays: Messrs Beasley, Charlton, Durant,

Carried on [illegible]

Gwin, Lomen, Shoy, Lea, Moore of B. Parsons
9.

Mr. Hartley moved to strike out all that
part of the resolutions instructive to Con
gress as to their future legislation — The yeas
and nays stood thus
Yeas Messrs Beasley Charleton Cooley
Dickson Durant, Ford. Gwin, Harcourt
Hartley, Jordan, Shoy, Magoffin, Moore of B.
Parsons, Selman, 15—
Nays. Messrs Davis, Hord, Kinsey, Lea,
Montague, Peck, Throckmorton, Weather
ford & White 9

The yeas and nays were then called
on the engrossment & the resolutions and
stood: Yeas; Messrs. Beasley, Cooley, Davis
Harcourt, Hord, Jordan, Kinsey, Shoy, Magof
fin, Peck, Throckmorton, Weatherford 12
Nays. Messrs Charleton Dickson Durant
Ford, Gwin, Hartley, Lea, Moore of B.
Montague Parsons, Selman, & White 12.
The President voted Yea

The com on St. Affrs. made the following
report "L"

Mr. Lea chm. finance com. reports
a Bill to provide for the distribution of
Clothing manufactured at the Penitentiá
ry. with amendments. Report taken
up. (insert these amendments)

The yeas & nays were
called on their adoption and stood thus.

The Com on Enrolled bills reports as follows

The Com on Enrolled bills have examined and find correctly Enrolled the following bills viz
An act to regulate the disposal of unappropriated Specie
An act to incorporate the Caird Manufacturing Company
An act for the relief of Robt Robison
An act to incorporate the Guadaloupe manufacturing company.
An act to incorporate the Tyler County Card and Machine factory
An act to provide for the discharge of Securities on official bonds in certain cases,
An act to relinquish the right of the State to $4500 now in the hands of Col I E. McCord for Hospital purposes
Joint Resolution in relation to the remains of the late General Wm R Scurry
An act for the relief of the minor heirs of the late John D Lee
An act to further provide for the payment of the Interest accruing from time to time on the public debt of the State
An act to make an additional appropriation for the support of the Lunatic asylum for the year 1864 & 65
An act to authorize the issuance of Rations to certain employees in the Cap factory
An act to incorporate the Comal county mutual aid association all which being signed by the Pres of the Senate and Speaker of the House of Representatives were this day presented to the Gov for his approval

W Erickson

The com to wait on the Governor reported duty performed and that he had no further Communication to make.

Com from House informed the Senate that the House was ready to adjourn whereupon Mefrs Dickson Lowry & Durant to wait on ad joined a com.. for like purpose -

The Senate on motion adjourned Sine die pending a call on the Concurrence of Senate in House amdt to a Bill to provide for distribution of cloth from Penitentiary

2